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Microcopy No. 215

MINUTES OF THE SUPREME COURT OF THE UNITED STATES

Roll 41

October 6, 1947 - June 5, 1950

THE NATIONAL ARCHIVES
NATIONAL ARCHIVES AND RECORDS SERVICE
GENERAL SERVICES ADMINISTRATION

Washington: 1954

NOTES ON ROLL 41

The three volumes reproduced on this roll have the following backstrip titles: (1) "Minutes / October / Term / 1947 / Supreme Court / of the / United States"; (2) "Minutes / October / Term / 1948 / Supreme Court / of the / United States"; and (3) "Minutes / October / Term / 1949 / Supreme Court / of the / United States." They contain the minutes of the Supreme Court of the United States from October 6, 1947, to June 5, 1950.

The first volume contains the minutes of the Court from October 6, 1947, to June 21, 1948; the second, from October 4, 1948, to June 27, 1949; and the third, from October 3, 1949, to June 5, 1950.

VOLUME

1947

At the Supreme Court Building, in the City of Washington, and District of Columbia, being the present Seat of the National Government of the United States, on the first Monday in October (being the sixth day of the same month) in the year of our Lord one thousand, nine hundred and forty-seven and of the independence of the United States the one hundred and seventy-second, The Supreme Court of the United States met agreeably to law.

PRESENT:

The Honorable Fred M. Vinson, Chief Justice,
Hugo L. Black,
Stanley Reed,
Felix Frankfurter,
Frank Murphy,
Robert H. Jackson,
Wiley Rutledge,
Harold H. Burton,
Associate Justices.
Thomas Ennalls Waggaman, Esquire, Marshal,
Charles Elmore Cropley, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Attorney General Tom C. Clark, It is ordered that Theron Lamar Caudle, Esquire, of Wadesboro, State of North Carolina; Charles Grant Stetter, Esquire, of Washington, District of Columbia; and Howard Elliott, Esquire, of Saint Louis, State of Missouri, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Solicitor General Philip B. Perlman, It is ordered that George Lewis Derr, Esquire, of Washington, District of Columbia; Robert W. Ginnane, Esquire, of Addison, State of New York; and William Noble Carl, Esquire, of Houston, State of Texas, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. George Thomas Washington, It is ordered that Samuel L. Kurland, Esquire, of Los Angeles, State of California, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Herbert R. O'Conor, It is ordered that William Saxon, Esquire, of Baltimore, State of Maryland, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. William A. Sutherland, It is ordered that Hosea Alexander Stephens, Esquire, of Atlanta, State of Georgia, and Albert D. Maynard, Esquire, of Atlanta, State of Georgia, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Miss Helen May Bloedorn, It is ordered that Wilminor M. Carl, of Houston, State of Texas, be admitted to practice as an Attorney and Counsellor of this Court, and she was sworn accordingly. (Mrs.)

On motion first made to the Court in this behalf by Mr. Jerome A. Reiner, It is ordered that Philip Licari, Esquire, of New York, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Elmore Whitehurst, It is ordered that Douglas M. Quinlan, Esquire, of Richmond, State of California, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Eugene Black, It is ordered that Owen Benton Fisher, Esquire, of Paris, State of Texas, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Frank L. Peckham, It is ordered that John Arthur Brennan, Esquire, of Boston, Commonwealth of Massachusetts, and Alfred E. LoPresti, Esquire, of Boston, Commonwealth of Massachusetts, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Randolph C. Shaw, It is ordered that Lionel T. Campbell, Esquire, of Los Angeles, State of California, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Donald C. Beelar, It is ordered that Albin Victor Spunar, Esquire, of Chicago, State of Illinois, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Carl McGowan, It is ordered that Sidney A. Cherniss, Esquire, of Los Angeles, State of California, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. John Lewis Smith, Jr., It is ordered that Dana C. Hill, Esquire, of Minneapolis, State of Minnesota, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Harold Irving Baynton, It is ordered that Charles A. Cantwell, Esquire, of Reno, State of Nevada, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. John Geyer Tausig, It is ordered that James Sylvester Mooney, Esquire, of Ysleta, State of Texas, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Northcutt Ely, It is ordered that Lloyd M. Tweedt, Esquire, of San Francisco, State of California, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mrs. Fanney Neyman Litvin, It is ordered that Robert H. Alford, Esquire, of New York, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Merrill Armour, It is ordered that Robert M. Johnson, Esquire, of Minot, State of North Dakota, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Joseph K. Carson, Jr., It is ordered that Hugh L. Biggs, Esquire, of Portland, State of Oregon, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Oliver J. Dompierre, It is ordered that Helen A. Chiczewski, of Hamtramck, State of Michigan, be admitted to practice as an Attorney and Counsellor of this Court, and she was sworn accordingly. (Miss)

On motion first made to the Court in this behalf by Mr. Newman Alexander Townsend, It is ordered that William Reid Dalton, Esquire, of Reidsville, State of North Carolina, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. William S. Tyson, It is ordered that Harold C. Nystrom, Esquire, of Rapid City, State of South Dakota, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Stephen L. Angland, It is ordered that Harvey R. McKee, Esquire, of Los Angeles, State of California, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Frank J. Donner, It is ordered that Arthur J. Mandell, Esquire, of Houston, State of Texas, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Abner H. Ferguson, It is ordered that Perry A. Hull, Esquire, of New York, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. E. K. Gubin, It is ordered that Edward Dienstag, Esquire, of San Francisco, State of California, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

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Securities and Exchange Commission,

Petitioner,

81 O. T. '46 vs.

Chenery Corporation, et al.; and

Securities and Exchange Commission,

Petitioner,

82 O. T. '46 vs.

Federal Water and Gas Corporation.

Mr. Justice Jackson announced that he has filed an opinion, in which Mr. Justice Frankfurter joins, setting forth the detailed grounds for his dissent from the opinion and judgment of the Court entered June 23, 1947, in these cases.

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Mr. Attorney General Clark presented the Honorable Philip B. Perlman of Maryland, Solicitor General of the United States.

The Chief Justice said:

"Mr. Solicitor General, the Court welcomes you to the performance of the important duty with which you are specially charged -- the duty of representing the Government at the Bar of this Court in all cases in which it asserts an interest. Your commission will be recorded by the Clerk."

Which said commission is in the following words and figures, viz:

"HARRY S. TRUMAN,

PRESIDENT OF THE UNITED STATES OF AMERICA,

To all who shall see these Presents, Greeting:

KNOW YE; That reposing special trust and confidence in the Wisdom, Uprightness, and Learning of PHILIP B. PERLMAN, OF MARYLAND I have nominated, and, by and with the advice and consent of the Senate, do appoint him SOLICITOR GENERAL OF THE UNITED STATES and do authorize and empower him to execute and fulfil the duties of that Office according to the Constitution and Laws of the said United States, and to Have and to Hold the said Office, with all the powers, privileges and emoluments to the same of right appertaining, unto Him, the said PHILIP B. PERLMAN, during the pleasure of the President.

IN TESTIMONY WHEREOF, I have caused these Letters to be made patent and the seal of the Department of Justice to be hereunto affixed.

(SEAL)

Done at the City of Washington this thirtieth day of July, in the year of our Lord one thousand nine hundred and forty-seven, and of the Independence of the United States of America the one hundred and seventy-second.

HARRY S. TRUMAN

By the President:

TOM C. CLARK

Attorney General."

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Paul Connell,

Appellant,

vs.

Board of Directors of the Township of Kennett, Individually, et al.

Appeal from the Supreme Court of the Commonwealth of Pennsylvania.

506

IT APPEARING to the Court that counsel for the appellant have filed a motion to dismiss the appeal in this case,

THEREFORE, pursuant to said motion, it is ordered by this Court that the appeal herein be, and the same is hereby, dismissed at the cost of appellant.

Per Mr. Chief Justice Vinson.

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Proclamation being made the Court is adjourned until Monday, October 13, next, at 12 o'clock.

Pursuant to adjournment the Court met at the Supreme Court Building.

PRESENT:

The Honorable Fred M. Vinson, Chief Justice,
Hugo L. Black,
Stanley Reed,
Felix Frankfurter,
William O. Douglas,
Frank Murphy,
Robert H. Jackson,
Wiley Rutledge,
Harold H. Burton. Associate Justices.

Thomas Ennalls Waggaman, Esquire, Marshal,
Charles Elmore Cropley, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. George Thomas Washington, It is ordered that James Benjamin Swails, Esquire, of Wilmington, State of North Carolina, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Elmore Whitehurst, It is ordered that Jerome Lawrence Ehrlich, Esquire, of Los Angeles, State of California, and Alphonse Cerza, Esquire, of Chicago, State of Illinois, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. John A. Kratz, Jr., It is ordered that Thomas Gregory Bugan, Esquire, of Chicago, State of Illinois, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Solicitor General Philip B. Perlman, It is ordered that Herbert Wentworth, Esquire, of Tampa, State of Florida, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Edmond G. Toomey, It is ordered that Clarence Hanley, Esquire, of Helena, State of Montana, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Laurence A. Knapp, It is ordered that Robert Leland, Esquire, of New York, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Samuel Perman, It is ordered that George H. Mason, Esquire, of Worcester, Commonwealth of Massachusetts, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Harry LeRoy Jones, It is ordered that David N. Lewis, Esquire, of Bay Shore, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Wilbur D. Sparks, It is ordered that John Hunt Moor, Esquire, of Toledo, State of Ohio, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Elphege Desgres, It is ordered that Americo Joseph Egidio, Esquire, of Washington, District of Columbia, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Joseph D. Malloy, It is ordered that Walter Arlin Mitchell, Esquire, of South Bend, State of Indiana, and John S. Gonas, Esquire, of South Bend, State of Indiana, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Joseph A. Cantrel, It is ordered that H. Gordon Howard, Esquire, of Denver, State of Colorado, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Northcutt Ely, It is ordered that Elisabeth Eberhard Zeigler, of Los Angeles, State of California, and Ray C. Eberhard, Esquire, of Los Angeles, State of California, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly. (Mrs.)

On motion first made to the Court in this behalf by Mr. Raymond G. Mullee, It is ordered that Thomas T. McVann, Esquire, of New York, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Harrell O. Hoagland, It is ordered that Albert A. Peter, Esquire, of Washington, District of Columbia, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Walter M. Bastian, It is ordered that George I. Gross, Esquire, of New York, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Oscar L. Chapman, It is ordered that Philip Hornbein, Jr., Esquire, of Denver, State of Colorado, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Owen W. Swecker, It is ordered that John D. Kiley, Esquire, of Evanston, State of Illinois, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Walter LeRoy Green, It is ordered that Harvey D. Booth, Esquire, of Mena, State of Arkansas, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Francis J. Quirico, It is ordered that Frederick M. Myers, Esquire, of Pittsfield, Commonwealth of Massachusetts, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. James Alexander Crooks, It is ordered that Gerald L. Seegers, Esquire, of Saint Louis, State of Missouri, and Walter H. Pollmann, Esquire, of Saint Louis, State of Missouri, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Howard M. Friedrichs, It is ordered that Henry F. Perry, Esquire, of Indianapolis, State of Indiana, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Milton Warren Buffington, It is ordered that Philip Aultman, Esquire, of Xenia, State of Ohio, and Robert H. Mead, Esquire, of Xenia, State of Ohio, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. James A. Cobb, It is ordered that Roy Clayton Garvin, Esquire, of Kansas City, State of Kansas, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Thomas J. Frailey, It is ordered that Harry Swank Phillips, Esquire, of Williamsport, Commonwealth of Pennsylvania, and Clyde Edward Williamson, Esquire, of Williamsport, Commonwealth of Pennsylvania, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Max Goldman, It is ordered that Richard A. Solomon, Esquire, of New York, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Francis J. Quirico, It is ordered that Robert Taylor Capeloss, Esquire, of Pittsfield, Commonwealth of Massachusetts, and Lincoln S. Cain, Esquire, of Pittsfield, Commonwealth of Massachusetts, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Arthur C. Perry, It is ordered that William Ralph Elliott, Esquire, of Sherman, State of Texas, and Alexander Gullett, Esquire, of Denison, State of Texas, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

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The Chief Justice announced the following orders of the Court:

Brotherhood of Locomotive Firemen and Enginemen, Local Lodge No. 926, et al.,

Petitioners,

21 vs.

Toledo, Peoria & Western Railroad and Farmers Grain Company, et al.; and

Farmers Grain Company, et al.,

Petitioners,

42 vs.

Brotherhood of Locomotive Firemen and Enginemen, Local Lodge No. 926, et al.

On writs of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit.

It appearing to the Court that counsel for the Toledo, Peoria & Western Railroad have filed a motion to vacate the judgment of the Circuit Court of Appeals and to remand the cause to the District Court with directions to dismiss the cause as moot, and it further appearing that counsel for the Brotherhood of Locomotive Firemen and Enginemen, et al. agree that the cause is moot,

Therefore, pursuant to said motion, it is ordered by this Court that the judgment of the Circuit Court of Appeals in this cause, be, and the same is hereby, vacated without costs; and that this cause be, and the same is hereby, remanded to the District Court of the United States for the Southern District of Illinois with directions to dismiss the complaint as moot.

Per Mr. Chief Justice Vinson.

Fred Grenz, Appellant, vs. State of Washington. — Appeal from the Supreme Court of the State of Washington.

76

It appearing to the Court that counsel for the appellant have failed to comply with Rule 12 of the Rules of this Court;

It is ordered that the appeal herein be, and the same is hereby, dismissed for failure to comply with Rule 12 of the Rules of this Court.

Per Mr. Chief Justice Vinson.

P. M. Nesbitt, Appellant, vs. Edwin M. Gill, Commissioner of Revenue of North Carolina. — Appeal from the Supreme Court of the State of North Carolina.

152

THIS CAUSE came on to be heard on the transcript of the record from the Supreme Court of the State of North Carolina, and on motion to dismiss or affirm, which was duly submitted.

ON CONSIDERATION WHEREOF, It is now here ordered by this Court that the motion to affirm the judgment below in this cause, be, and the same is hereby, granted.

IT IS FURTHER ORDERED and adjudged by this Court that the judgment of the said Supreme Court in this cause, be, and the same is hereby, affirmed with costs.

Per Mr. Chief Justice Vinson.

Murray Mester and Meyer Mester,
Appellants,
173 vs.
The United States of America, Federal Communications Commission, et al.

Appeal from the District Court of the United States for the Eastern District of New York.

THIS CAUSE came on to be heard on the transcript of the record from the District Court of the United States for the Eastern District of New York, and on motion to affirm, which was duly submitted.

ON CONSIDERATION WHEREOF, It is ordered by this Court that the motion to affirm the decree of the District Court in this cause be, and the same is hereby, granted.

IT IS FURTHER ordered, adjudged, and decreed by this Court that the decree of the District Court in this cause, be, and the same is hereby, affirmed.

Per Mr. Chief Justice Vinson.

Mr. Justice Black took no part in the consideration or decision of this case.

Tampa Times Company and The Tribune Company,
Appellants,
165 vs.
City of Tampa, a Municipal Corporation.

Appeal from the Supreme Court of the State of Florida.

THIS CAUSE came on to be heard on the transcript of the record from the Supreme Court of the State of Florida, and was duly submitted.

ON CONSIDERATION WHEREOF, It is now here ordered by this Court that the appeal herein be, and the same is hereby, dismissed for the want of a substantial federal question.

Per Mr. Chief Justice Vinson.

Tampa Times Company and The Tribune Company,
Appellants,
166 vs.
City of Tampa, a Municipal Corporation.

Appeal from the Supreme Court of the State of Florida.

THIS CAUSE came on to be heard on the transcript of the record from the Supreme Court of the State of Florida, and was duly submitted.

ON CONSIDERATION WHEREOF, It is now here ordered by this Court that the appeal herein be, and the same is hereby, dismissed for the want of a substantial federal question.

Per Mr. Chief Justice Vinson.

Robert Allen, Claimant, Appellant, vs. The Glenn L. Martin Company, Employer, and Globe Indemnity Company, Insurer. — Appeal from the Court of Appeals of the State of Maryland.

267

THIS CAUSE came on to be heard on the transcript of the record from the Court of Appeals of the State of Maryland, and on motion to dismiss, which was duly submitted.

ON CONSIDERATION WHEREOF, It is now here ordered by this Court that the motion to dismiss the appeal herein be, and the same is hereby, granted.

IT IS FURTHER ORDERED by this Court that the appeal herein be, and the same is hereby, dismissed for the want of a substantial federal question.

Per Mr. Chief Justice Vinson.

Frank G. Hyman, Claimant, Appellant, vs. Robb Tyler, Employer, and Eagle Indemnity Company, Insurer. — Appeal from the Court of Appeals of the State of Maryland.

268

THIS CAUSE came on to be heard on the transcript of the record from the Court of Appeals of the State of Maryland, and on motion to dismiss, which was duly submitted.

ON CONSIDERATION WHEREOF, It is now here ordered by this Court that the motion to dismiss the appeal herein be, and the same is hereby, granted.

IT IS FURTHER ORDERED by this Court that the appeal herein be, and the same is hereby, dismissed for the want of a substantial federal question.

Per Mr. Chief Justice Vinson.

James Benoni, Claimant, Appellant, vs. Bethlehem Fairfield Shipyard, Incorporated, Employer, and Maryland Casualty Company, Insurer. — Appeal from the Court of Appeals of the State of Maryland.

269

THIS CAUSE came on to be heard on the transcript of the record from the Court of Appeals of the State of Maryland, and on motion to dismiss, which was duly submitted.

ON CONSIDERATION WHEREOF, It is now here ordered by this Court that the motion to dismiss the appeal herein be, and the same is hereby, granted.

IT IS FURTHER ORDERED by this Court that the appeal herein be, and the same is hereby, dismissed for the want of a substantial federal question.

Per Mr. Chief Justice Vinson.

Texas and New Orleans Railroad Company, Appellant, vs. V. Rivera S. En C. — Appeal from the Supreme Court of the State of Louisiana.

197

THIS CAUSE came on to be heard on the transcript of the record from the Supreme Court of the State of Louisiana, and on motion to dismiss or affirm, which was duly submitted.

ON CONSIDERATION WHEREOF, It is now here ordered by this Court that the motion to dismiss the appeal herein be, and the same is hereby, granted.

IT IS FURTHER ORDERED by this Court that the appeal herein be, and the same is hereby, dismissed for the want of jurisdiction.

Per Mr. Chief Justice Vinson.

Texas and New Orleans Railroad Company, Appellant, vs. V. Rivera S. En C. — Appeal from the Supreme Court of the State of Louisiana.

197

TREATING the appeal papers from the Supreme Court of the State of Louisiana as an application for a writ of certiorari;

ON CONSIDERATION WHEREOF, it is ordered by this Court that the said application for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Grace McNamara, et al., Appellants, vs. The Salvation Army, Incorporated. — Appeal from the Supreme Court of the State of Kansas.

201

THIS CAUSE came on to be heard on the transcript of the record from the Supreme Court of the State of Kansas, and was duly submitted.

ON CONSIDERATION WHEREOF, It is now here ordered by this Court that the appeal herein be, and the same is hereby, dismissed for the want of jurisdiction.

Per Mr. Chief Justice Vinson.

Grace McNamara, et al., Appellants, vs. The Salvation Army, Incorporated. — Appeal from the Supreme Court of the State of Kansas.

201

TREATING the appeal papers from the Supreme Court of the State of Kansas as an application for a writ of certiorari;

ON CONSIDERATION WHEREOF, It is ordered by this Court that the said application for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Frank C. Hart, Appellant, vs. State of Washington. — Appeal from the Supreme Court of the State of Washington.

226

THIS CAUSE came on to be heard on the transcript of the record from the Supreme Court of the State of Washington, and was duly submitted.

ON CONSIDERATION WHEREOF, It is now here ordered by this Court that the appeal herein be, and the same is hereby, dismissed for the want of jurisdiction.

Per Mr. Chief Justice Vinson.

Frank C. Hart,

Appellant,

vs.

State of Washington.

Appeal from the Supreme Court of the State of Washington.

226

TREATING the appeal papers from the Supreme Court of the State of Washington as an application for a writ of certiorari;

ON CONSIDERATION WHEREOF, it is ordered by this Court that the said application for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

State of Florida, ex rel. William H. McKeighan,

Appellant,

vs.

Jimmy Sullivan, as Sheriff of Dade County, Florida.

Appeal from the Supreme Court of the State of Florida.

257

THIS CAUSE came on to be heard on the transcript of the record from the Supreme Court of the State of Florida, and on motion to dismiss, which was duly submitted.

ON CONSIDERATION WHEREOF, It is now here ordered by this Court that the motion to dismiss the appeal herein be, and the same is hereby, granted.

IT IS FURTHER ORDERED by this Court that the appeal herein be, and the same is hereby, dismissed for the reason that the judgment of the court below is based upon a non-federal ground adequate to support it.

Per Mr. Chief Justice Vinson.

Mr. Justice Murphy took no part in the consideration or decision of this case.

Reba W. Thibaut, Individually, and on Behalf of the Minor Children, Joseph L. Thibaut, Jr., et al.,

Petitioners,

vs.

Car & General Insurance Corporation, Ltd., United States Branch, a Corporation.

Order allowing certiorari.

231

The petition herein for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit is granted. And it is further

ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

Reba W. Thibaut, Individually, and on Behalf of the Minor Children, Joseph L. Thibaut, Jr., et al.,

Petitioners,

231 vs.

Car & General Insurance Corporation, Ltd., United States Branch, a Corporation.

On writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit.

THIS CAUSE came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Fifth Circuit, and was duly submitted.

ON CONSIDERATION WHEREOF, It is ordered and adjudged by this Court that the judgment of the said United States Circuit Court of Appeals, in this cause, be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the District Court of the United States for the Eastern District of Louisiana for further proceedings.

Per Mr. Chief Justice Vinson.

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The Chief Justice said:

"The other orders of the Court appear upon the list certified by the Chief Justice and filed with the Clerk and will not be announced orally."

O R D E R

IT IS ORDERED that Rule 33 of the Rules of this Court be, and it hereby is, amended to read as follows:

"33

REHEARING

1. Of judgments or decisions other than those denying or granting certiorari. -- A petition for rehearing may be filed with the clerk, in term time or in vacation, when accompanied by proof of service on the adverse party, within fifteen days after judgment or decision, unless the time is shortened or enlarged by the court or a justice thereof. Such petition must be printed and forty copies thereof furnished. It must briefly and distinctly state its grounds, and be supported by a certificate of counsel to the effect that it is presented in good faith and not for delay. A petition for rehearing is not subject to oral argument, and will not be granted, unless a justice who concurred in the judgment or decision desires it, and a majority of the court so determines.

(a) A response, if printed and forty copies thereof furnished, accompanied by proof of service, may be filed with the clerk within ten days after service of petition, unless the time is shortened or enlarged by the court or a justice thereof. Such response is not required, and the court will not delay its action upon a petition for rehearing to await a response thereto, unless a response is requested by the court.

2. Of orders on petitions for writs of certiorari. -- A petition for rehearing may be filed with the clerk in term time or in vacation, subject to the requirements respecting time, service, printing, and number of copies furnished as provided in paragraph 1 of this rule. Any petition filed under this paragraph must briefly and distinctly state grounds which are confined to intervening circumstances of substantial or controlling effect (e. g., Sanitary Refrigerator Co. v. Winters, 280 U. S. 30, 34, footnote 1; Massey v. United States, 291 U. S. 608), or to other substantial grounds available to petitioner although not previously presented (e. g., Schriber-Schroth Co. v. Cleveland Trust Co., 305 U. S. 47, 50). Such petition is not subject to oral argument. A petition for rehearing filed under this paragraph must be supported by a certificate of counsel to the effect that it is presented in good faith and not for delay, and counsel

must also certify that the petition is restricted to the grounds above specified.

(a) A response, if printed and forty copies thereof furnished, accompanied by proof of service, may be filed with the clerk within ten days after service of petition, unless the time is shortened or enlarged by the court or a justice thereof."

IT IS FURTHER ORDERED that the Rule as herein amended shall be applicable to all cases in which the action of the Court is taken after January 1, 1948.

In re David Livingston.

No. ____

ON CONSIDERATION of the motion to amend the attorney roll to show the change of name of David Livingston Levy to David Livingston,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, granted.

Per Mr. Chief Justice Vinson.

In re Joseph E. Brodine.

No. ____

ON CONSIDERATION of the motion to amend the attorney roll to show the change of name of Joseph E. Brodinsky to Joseph E. Brodine,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, granted.

Per Mr. Chief Justice Vinson.

National Labor Relations Board,

Petitioner,

418 O. T. 1946 vs.

Jones & Laughlin Steel Corporation.

ON CONSIDERATION of the application of the Solicitor General to defer consideration of respondent's motion for amendment of the mandate until after November 3 with leave to reply by that date,

IT IS ORDERED by this Court that the said application be, and the same is hereby, granted.

Per Mr. Chief Justice Vinson.

Vail Manufacturing Company,

Petitioner,

1280 O.T. '46 vs.

National Labor Relations Board.

ON CONSIDERATION of the application of the Solicitor General to defer consideration of the petition for rehearing and motion for leave to file a supplemental petition for rehearing until after November 3 and for leave to reply to the petition and supplemental petition for rehearing by that date,

IT IS ORDERED by this Court that the said application be, and the same is hereby, granted.

Per Mr. Chief Justice Vinson.

Cassius S. McDonald,

Petitioner,

1366 O.T. '46 vs.

Walter A. Hunter, Warden, etc.

ON CONSIDERATION of the motion to extend the time within which to file petition for rehearing in this case,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Local 2880, Lumber & Sawmill Workers Union, etc.,

Petitioner,

53 vs.

The National Labor Relations Board.

ON CONSIDERATION of the application of counsel for petitioner to postpone the argument in this case until after January 1, 1948,

IT IS ORDERED by this Court that the said application be, and the same is hereby, granted.

Per Mr. Chief Justice Vinson.

Giles Kavanagh, Collector of Internal Revenue,

Petitioner,

70 vs.

J. H. Noble.

ON CONSIDERATION of the motion of counsel for the respondent to dismiss the writ of certiorari in this case,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Homer C. Price,

Petitioner,

111 vs.

James A. Johnston, Warden, etc.

IT IS ORDERED that Joseph L. Rauh, Jr., Esquire, of Washington, D. C., a member of the Bar of this Court, be appointed to serve as counsel for the petitioner in this case.

Per Mr. Chief Justice Vinson.

Republic Natural Gas Company,

Appellant,

134 vs.

State of Oklahoma, Corporation Commission of the State of Oklahoma, et al.

The statement of jurisdiction in this case having been submitted and considered by the Court, probable jurisdiction is noted.

Per Mr. Chief Justice Vinson.

The United States of America,

Appellant,

198 vs.

South Buffalo Railway Company, Bethlehem Steel Company and Bethlehem Steel Corporation.

The statement of jurisdiction in this case having been submitted and considered by the Court, probable jurisdiction is noted.

Per Mr. Chief Justice Vinson.

United States of America, et al.,

Appellants,

223 vs.

The Baltimore and Ohio Railroad Company, et al.

The statement of jurisdiction in this case having been submitted and considered by the Court, probable jurisdiction is noted.

Per Mr. Chief Justice Vinson.

Albert E. Schwabacher, et al.,

Appellants,

258 vs.

The United States of America, et al.

The statement of jurisdiction in this case having been submitted and considered by the Court, probable jurisdiction is noted.

Per Mr. Chief Justice Vinson.

Lawrence Dyer,

Appellant,

275 vs.

City Council of the City of Beloit, Rock County, Wisconsin, et al.

The statement of jurisdiction in this case having been submitted and considered by the Court, probable jurisdiction is noted.

Per Mr. Chief Justice Vinson.

The United States of America, Order allowing certiorari.

Petitioner,

121 vs.

Jordan James Sullivan, Trading as Sullivan's Pharmacy.

The petition herein for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit is granted. And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

Harry B. Mitchell, et al., Individually and as Members of the Civil Service Commission,

Petitioners,

130 vs.

Jack W. Cohen.

Order allowing certiorari.

The petition herein for a writ of certiorari to the United States Court of Appeals for the District of Columbia is granted.

And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

Harry B. Mitchell, et al., Individually and as Members of the Civil Service Commission,

Petitioners,

131 vs.

Harry W. Hubickey.

Order allowing certiorari.

The petition herein for a writ of certiorari to the United States Court of Appeals for the District of Columbia is granted.

And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

Robert C. Johnson,

Petitioner,

138 vs.

The United States of America.

Order allowing certiorari.

The petition herein for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit is granted. And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

Commonwealth of Massachusetts, Order allowing certiorari.

Petitioner,

157 vs.

The United States of America.

The petition herein for a writ of certiorari to the United States Circuit Court of Appeals for the First Circuit is granted. And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

Mary Bell King, Order allowing certiorari.

Petitioner,

171 vs.

The Order of United Commercial Travelers of America.

The petition herein for a writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit is granted. And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

Robert Sealfon, Order allowing certiorari.

Petitioner,

174 vs.

The United States of America.

The petition herein for a writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit is granted. And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

Mrs. Aba Badger Suttle, Widow of John G. Suttle, Individually and as Administratrix of the Estate of John G. Suttle, Deceased, — Order allowing certiorari.

Petitioner,

214 vs.

Reich Bros. Construction Co., et al.

The petition herein for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit is granted. And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

In re William Oliver, — Order allowing certiorari.

Petitioner.

215

The petition herein for a writ of certiorari to the Supreme Court of the State of Michigan is granted.

And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

Funk Brothers Seed Company, — Order allowing certiorari.

Petitioner,

280 vs.

Kalo Inoculant Company.

The petition herein for a writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit is granted. And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

The United States of America, Order allowing certiorari.

Petitioner,

100 vs.

Jimmie Ira Brown.

The petition herein for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit is granted, and the case is transferred to the summary docket.

And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

The United States of America,

Petitioner,

100 vs.

Jimmie Ira Brown.

ON CONSIDERATION of the motion of the respondent for leave to proceed herein in forma pauperis,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, granted.

Per Mr. Chief Justice Vinson.

Marriner S. Eccles, Ronald Ransom, M. S. Szymczak, et al., Order allowing certiorari.

Petitioners,

101 vs.

Peoples Bank of Lakewood Village, California.

The petition herein for a writ of certiorari to the United States Court of Appeals for the District of Columbia is granted. And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Justice Black.

The Chief Justice took no part in the consideration or decision of this application.

Globe Liquor Company, Inc., Order allowing certiorari.

Petitioner,

205 vs.

Frank Sam Roman, et al., Doing Business Under the Firm Name and Style of International Industries.

The petition herein for a writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit is granted, and the case is transferred to the summary docket.

And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

Bakery Sales Drivers Local Union No. 3, an Unincorporated Association, et al., Order allowing certiorari.

Petitioners,

225 vs.

A. Wagshal, Trading as "Wagshal's Delicatessen."

The petition herein for a writ of certiorari to the United States Court of Appeals for the District of Columbia is granted. And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

Mr. Justice Rutledge took no part in the consideration or decision of this application.

Commissioner of Internal Revenue, Order allowing certiorari.

Petitioner,

227 vs.

Joseph Sunnen.

The petition herein for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit is granted, and the case is transferred to the summary docket.

And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

Roy Bute,

Petitioner,

17, Misc. vs.

People of the State of Illinois.

Order allowing certiorari.

The petition herein for a writ of certiorari to the Supreme Court of the State of Illinois is granted, and the case is ordered transferred to the appellate docket.

And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

Roy Bute,

Petitioner,

17, Misc. vs.

People of the State of Illinois.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, granted.

Per Mr. Chief Justice Vinson.

McCallum & Robinson, Inc.,

Petitioner,

65 vs.

Berryman Henwood, Trustee for St. Louis Southwestern Railway Co.

On petition for writ of certiorari to the Court of Appeals of the State of Tennessee.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Court of Appeals of the State of Tennessee, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Armand Robichaud,
Petitioner,
99 vs.
Daniel J. Brennan, Judge of Essex County Court of Common Pleas.

On petition for writ of certiorari to the Court of Errors and Appeals of the State of New Jersey.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Court of Errors and Appeals of the State of New Jersey, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Southern Pacific Company,
Petitioner,
102 vs.
The United States.

On petition for writ of certiorari to The Court of Claims.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Court of Claims and of the argument of counsel thereupon had, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Albert F. Conn, Robert D. Flynt and Willie E. Nelson,
Petitioners,
103 vs.
The United States.

On petition for writ of certiorari to The Court of Claims.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Court of Claims and of the argument of counsel thereupon had, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Union Paving Company,
Petitioner,
106 vs.
The United States.

On petition for writ of certiorari to The Court of Claims.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Court of Claims and of the argument of counsel thereupon had, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Seven-Up Bottling Company of Los Angeles, Inc.,
Petitioner,
107 vs.
The United States.

On petition for writ of certiorari to The Court of Claims.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Court of Claims and of the argument of counsel thereupon had, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Centaur Construction Company, Inc.,
Petitioner,
108 vs.
The United States.

On petition for writ of certiorari to The Court of Claims.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Court of Claims and of the argument of counsel thereupon had, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Allen Pope,

Petitioner,

110 vs.

The United States.

On petition for writ of certiorari to The Court of Claims.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Court of Claims and of the argument of counsel thereupon had, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Benjamin Weber, James Ellis and Simon Birk,

Petitioners,

112 vs.

National Labor Relations Board.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Eighth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Semi-Steel Casting Company of St. Louis,

Petitioner,

120 vs.

National Labor Relations Board.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Eighth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Helen M. Slifka, Formerly Known as Helen Schustek, et al., Executors, etc.,

Petitioners,

113 vs.

James W. Johnson, Collector of the Third Internal Revenue District of the State of New York.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Second Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

John George Ciocarlan,

Petitioner,

114 vs.

The People of the State of Michigan.

On petition for writ of certiorari to the Supreme Court of the State of Michigan.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of Michigan, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Stella Fox,

Petitioner,

115 vs.

The People of the State of Michigan.

On petition for writ of certiorari to the Supreme Court of the State of Michigan.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of Michigan, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Hazel Peel,

Petitioner,

116 vs.

The People of the State of Michigan.

On petition for writ of certiorari to the Supreme Court of the State of Michigan.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of Michigan, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Home Beneficial Life Insurance Company, Inc.,

Petitioner,

118 vs.

National Labor Relations Board.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Fourth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Frank W. Ford, as Trustee in Bankruptcy of Harlem Garment Center, Inc., Bankrupt,

Petitioner,

119 vs.

Graham Magee.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Second Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Muriel C. Pistolesi,

Petitioner,

123 vs.

Massachusetts Mutual Life Insurance Company.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Ninth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Builders Trust Company,

Petitioner,

124 vs.

Walter P. Butler, Helen W. Butler, Effie Butler O'Connor, et al.

On petition for writ of certiorari to the Supreme Court of the State of Minnesota.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of Minnesota, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Alabama Dry Dock & Shipbuilding Company,

Petitioner,

125 vs.

M. W. Caldwell, Hollie B. Cobb, Joseph W. Darnell, et al.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Fifth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Alabama Dry Dock & Shipbuilding Company, Petitioner,
126 vs.
J. J. Andrews, Mary Howton, J. S. Henderson, et al.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Fifth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Samuel H. Rabin, Petitioner,
129 vs.
The People of the State of Michigan.

On petition for writ of certiorari to the Supreme Court of the State of Michigan.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of Michigan, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Jacob L. Zellan, Petitioner,
133 vs.
Harry P. Giddings.

On petition for writ of certiorari to the United States Court of Appeals for the District of Columbia.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the District of Columbia, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Jackson Securities & Investment Company,
Petitioner,
135 vs.
Prudential Insurance Company of America.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Fifth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

The Texas and Pacific Railway Company, et al.,
Petitioners,
136 vs.
Brotherhood of Railroad Trainmen, et al.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Fifth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

L. B. Adams, S. W. Allen, J. E. Bowie, et al.,
Petitioners,
137 vs.
Brotherhood of Railroad Trainmen, et al.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Fifth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Joseph Estin,

Petitioner,

139 vs.

Gertrude Estin.

On petition for writ of certiorari to the Court of Appeals of the State of New York.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Court of Appeals of the State of New York, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

District of Columbia,

Petitioner,

140 vs.

Johnson & Wimsatt, Inc.

On petition for writ of certiorari to the United States Court of Appeals for the District of Columbia.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the District of Columbia, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

District of Columbia,

Petitioner,

141 vs.

The H. D. Lee Company.

On petition for writ of certiorari to the United States Court of Appeals for the District of Columbia.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the District of Columbia, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Coleman F. Madden,

Petitioner,

142 vs.

Queens County Jockey Club, Inc.

On petition for writ of certiorari to the Supreme Court of the State of New York, County of Queens.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of New York, County of Queens, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

John M. Morris, Administrator,

Petitioner,

143 vs.

First National Bank of Atlanta, et al.

On petition for writ of certiorari to the Supreme Court of the State of Georgia.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of Georgia, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

John Soifing,

Petitioner,

144 vs.

Barclay White Company, General Building Contractors Association, et al.

On petition for writ of certiorari to the Supreme Court of the Commonwealth of Pennsylvania.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the Commonwealth of Pennsylvania, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Title Insurance and Guaranty Company, Elizabeth Humphrey, Harry Lee Jones, et al.,

Petitioners,

145 vs.

James P. Hart, Trustee of Mount Gaines Mining Company, Debtor.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Ninth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Arthur D. Schulte, et al., as Trustees Under a Trust Agreement Dated June 3, 1932, Made by David A. Schulte, as Grantor,

Petitioners,

146 vs.

Park & Tilford, Inc., et al.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Second Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Panhandle Eastern Pipe Line Company,

Petitioner,

147 vs.

Federal Power Commission.

On petition for writ of certiorari to the United States Court of Appeals for the District of Columbia.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the District of Columbia, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Humble Oil & Refining Company, et al., Petitioners,
148 vs.
The United States of America.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Fifth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Clair Conrad, Petitioner,
149 vs.
Pennsylvania Railroad Company.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Third Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Pasquale Damiano, Petitioner,
150 vs.
Pennsylvania Railroad Company.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Third Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Kalamazoo Stationery Company, Division of Western Tablet and Stationery Corporation,

Petitioner,

152 vs.

National Labor Relations Board.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Sixth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Alexander Akerman,

Petitioner,

154 vs.

The United States.

On petition for writ of certiorari to The Court of Claims.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Court of Claims and of the argument of counsel thereupon had, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

George M. Bourquin,

Petitioner,

155 vs.

The United States.

On petition for writ of certiorari to The Court of Claims.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Court of Claims and of the argument of counsel thereupon had, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Isabel May, et al., as Executrix under the Will of Julia May,

Petitioners,

158 vs.

Emily W. MacCormack, et al., as Executors and Trustees under the Will of Robert S. MacCormack, Deceased, et al.

On petition for writ of certiorari to Surrogate's Court, New York County, State of New York.

ON CONSIDERATION of the petition for a writ of certiorari herein to Surrogate's Court, New York County, State of New York, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

The Wheeling & Lake Erie Railway Company and The Pennsylvania Railroad Company,

Petitioners,

159 vs.

William Keith.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Sixth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

John Di Benedetto,

Petitioner,

160 vs.

The United States.

On petition for writ of certiorari to The Court of Claims.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Court of Claims and of the argument of counsel thereupon had, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Wayland C. Dorrance, Petitioner, vs. The United States. — On petition for writ of certiorari to The Court of Claims.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Court of Claims and of the argument of counsel thereupon had, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Homer Glen Wilcox, Petitioner, vs. Lieutenant General J. L. DeWitt. — On petition for writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Ninth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Ray Moore, Petitioner, vs. The State of Oregon. — On petition for writ of certiorari to the Supreme Court of the State of Oregon.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of Oregon, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Sumio Madokoro, in Behalf of Sannosuke Madokoro, and Sannosuke Madokoro,

Petitioners,

164 vs.

Albert Del Guercio, District Director, Immigration and Naturalization Service, etc.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Ninth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Olaf Jorgensen,

Petitioner,

167 vs.

York Ice Machinery Corporation.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Second Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Marvin Claude Bell,

Petitioner,

168 vs.

State of North Carolina.

On petition for writ of certiorari to the Supreme Court of the State of North Carolina.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of North Carolina, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Leslie Murray Wain, Petitioner, vs. The United States of America. — On petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

169

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Second Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Thomas Bullitt Dixon, Petitioner, vs. American Telephone & Telegraph Company, et al. — On petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

170

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Second Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

State of California, and Ben M. Brown, Domiciliary Administrator, Petitioners, vs. Michigan State Board of Escheats, and Edward J. O'Donnell, Ancillary Administrator. — On petition for writ of certiorari to the Supreme Court of the State of Michigan.

175

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of Michigan, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

George I. Pearce,
Petitioner,
176 vs.
Pennsylvania Railroad Co., Esther Hopkin, Individually and Trading as Penn Galvanizing Co.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Third Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Avery B. Chereton,
Petitioner,
177 vs.
The United States of America.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Sixth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Angeline De Bartolo,
Petitioner,
194 vs.
Village of Oak Park, a Municipal Corporation.

On petition for writ of certiorari to the Supreme Court of the State of Illinois.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of Illinois, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Carom Corporation,
Petitioner,
195 vs.
Marie Ollendorff.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Second Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

The Central Nebraska Public Power and Irrigation District, a Public Corporation,
Petitioner,
199 vs.
Federal Power Commission.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Eighth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Soy Food Mills, Inc.,
Petitioner,
202 vs.
Pillsbury Mills, Inc.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Seventh Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Daniel F. Boone,
Petitioner,
204 vs.
Martha Lightner Boone, as Trustee for Martha Penelope Boone, a Minor.

On petition for writ of certiorari to the United States Court of Appeals for the District of Columbia.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the District of Columbia, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Philadelphia Record Company,
Petitioner,
207 vs.
John O'Donnell.

On petition for writ of certiorari to the Supreme Court of the Commonwealth of Pennsylvania.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the Commonwealth of Pennsylvania, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Crowell-Collier Publishing Company,
Petitioner,
209 vs.
Millard F. Caldwell.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Fifth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

The Travelers Insurance Company, Petitioner, vs. Commissioner of Internal Revenue. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

208

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Second Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

E. J. Stanton & Son, Petitioner, vs. County of Los Angeles and City of Los Angeles. On petition for writ of certiorari to the District Court of Appeal of the State of California, 2nd Appellate District.

213

ON CONSIDERATION of the petition for a writ of certiorari herein to the District Court of Appeal of the State of California, 2nd Appellate District, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Ida S. Austin, Petitioner, vs. Commissioner of Internal Revenue. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit.

216

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Sixth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Ida Berry, Individually and as Administratrix of the Goods, Chattels and Credits of Olivia Marshall, Deceased,

Petitioner,

218 vs.

Franklin Plate Glass Corporation.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Third Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Lewis Montague,

Petitioner,

219 vs.

Charles Henry Smith, et al.

On petition for writ of certiorari to the Supreme Court of Appeals of the Commonwealth of Virginia.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of Appeals of the Commonwealth of Virginia, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Meyer Weiss,

Petitioner,

220 vs.

The United States of America.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Second Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Morris Eisenberg,

Petitioner,

221 vs.

Commissioner of Internal Revenue.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Third Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Herman Schaeffer,

Petitioner,

222 vs.

Commissioner of Internal Revenue.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Third Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

James P. Waters, Inc.,

Petitioner,

224 vs.

Commissioner of Internal Revenue.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Ninth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Jack Eugene Thomson,

Petitioner,

228 vs.

The United States of America.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Ninth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

William Talmadge Spears, Bettie Tunsell, and Isaiah H. Spears,

Petitioners,

229 vs.

Eva Mae Spears, Individually, and Eva Mae Spears, as Special Administrator of the Estate of Dr. Mansfield L. Spears, Deceased, et al.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Sixth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

William Ray Olsen,

Petitioner,

230 vs.

The United States of America.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Ninth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Andrew Kjar, Alias Peter Orloff, Petitioner,

vs.

The United States.

On petition for writ of certiorari to The Court of Claims.

232

ON CONSIDERATION of the petition for a writ of certiorari herein to the Court of Claims and of the argument of counsel thereupon had, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Rice Bros., a Partnership Consisting of Charles R. Rice, Wm. J. Downey and John J. Donohue, Petitioner,

vs.

H. H. Birmingham.

On petition for writ of certiorari to the Supreme Court of the State of Iowa.

233

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of Iowa, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Philip Milton Koritz, Cal Roberson Jones, and Margaret De Graffenreid, Petitioners,

vs.

State of North Carolina.

On petition for writ of certiorari to the Supreme Court of the State of North Carolina.

234

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of North Carolina, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

W. H. Wilson,

Petitioner,

235 vs.

Commissioner of Internal Revenue.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Fourth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Korach Bros., A Limited Partnership,

Petitioner,

236 vs.

Earl W. Clark, Director of the Division of Liquidation, Department of Commerce.

On petition for writ of certiorari to the United States Emergency Court of Appeals.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Emergency Court of Appeals, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Leopold William Brandenburg,

Petitioner,

237 vs.

The United States of America.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Third Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

W. W. Watts,

Petitioner,

241 vs.

The United States of America.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Fifth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Jacob Morris Danziger,

Petitioner,

242 vs.

The United States of America.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Ninth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Homer L. Bruce, et ux., Clara C. Bruce,

Petitioners,

243 vs.

J. P. King, Jr.

On petition for writ of certiorari to the Supreme Court of the State of Texas.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of Texas, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Francis G. Caffey, United States District Judge for the Southern District of New York,

Petitioner,

244 vs.

Euphime V. Beresiavsky.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Second Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mississippi Power & Light Company,

Petitioner,

248 vs.

Memphis Natural Gas Company.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Fifth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Delaware, Lackawanna & Western Railroad Company,

Petitioner,

249 vs.

Edward Mostyn and S. H. Golden Company, Inc.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Second Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Publicker Industries, Inc., Petitioner, vs. Earl W. Clark, Director of the Division of Liquidation, Department of Commerce.

On petition for writ of certiorari to the United States Emergency Court of Appeals.

250

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Emergency Court of Appeals, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Lee Young, Lee Deer, Ralph L. Polk, Petitioners, vs. The United States of America.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Tenth Circuit.

252

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Tenth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

George Graff, Petitioner, vs. H. Sam Priest, as President of the Board of Police Commissioners of the City of St. Louis, Missouri, et al.

On petition for writ of certiorari to the Supreme Court of the State of Missouri.

253

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of Missouri, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

William Thomas Klopp,

Petitioner,

254 vs.

J. Overlade, Warden.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Seventh Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Arnold Bernstein, Also Known as Arnold M. Bernstein,

Petitioner,

259 vs.

N. V. Nederlandsche-Amerikaansche Stoomvaart-Maatschappij, Also Known as Holland-American Line.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Second Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Samuel Eugene Bramer,

Petitioner,

261 vs.

Commissioner of Internal Revenue.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Third Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

A. H. Dossett, d.b.a. J. A. Dossett Lumber Company,

Petitioner,

263 vs.

Philip B. Fleming, Temporary Controls Administrator.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Sixth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Walker-Hill Company,

Petitioner,

264 vs.

The United States of America.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Seventh Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Oliver H. Swick,

Petitioner,

265 vs.

The Glenn L. Martin Company.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Fourth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Claude Smith,
Petitioner,
271 vs.
The State of Georgia.

On petition for writ of certiorari to the Court of Appeals of the State of Georgia.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Court of Appeals of the State of Georgia, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mary Wall Kirby, et al.,
Petitioners,
272 vs.
Houston Oil Co. of Texas, et al.

On petition for writ of certiorari to the Court of Civil Appeals of the State of Texas, 9th Supreme Judicial District.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Court of Civil Appeals of the State of Texas, 9th Supreme Judicial District, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

South Texas Commercial National Bank of Houston,
Petitioner,
273 vs.
Commissioner of Internal Revenue.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Fifth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Pompey Marxhausen Frederick, in His Individual Capacity and by John L. King, Next Friend,

Petitioner,

274 vs.

First Liquidating Corporation, et al.

On petition for writ of certiorari to the Supreme Court of the State of Michigan.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of Michigan, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Arnold Bernstein, also Known as Arnold M. Bernstein,

Petitioner,

277 vs.

Van Heyghen Freres Societe Anonyme.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Second Circuit, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Alice Wolfe, Administratrix of the Estate of Owen Wolfe, Deceased,

Petitioner,

281 vs.

Berryman Henwood, Trustee, St. Louis Southwestern Railway Company.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Eighth Circuit, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Rev. E. B. Fields,
Petitioner,
284 vs.
Robert E. Hannegan, Postmaster General of the United States.

On petition for writ of certiorari to the United States Court of Appeals for the District of Columbia.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the District of Columbia, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

E. Anthony & Sons, Inc.,
Petitioner,
286 vs.
National Labor Relations Board.

On petition for writ of certiorari to the United States Court of Appeals for the District of Columbia.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the District of Columbia, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Liberty Mutual Insurance Company,
Petitioner,
289 vs.
Robert J. Sindelar, Executor of the Last Will and Testament of Joseph C. Sindelar, Deceased, et al.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Seventh Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

William S. Penerty,
Petitioner,
298 vs.
Philadelphia Bar Association.

On petition for writ of certiorari to the Supreme Court of the Commonwealth of Pennsylvania.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the Commonwealth of Pennsylvania, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Catherine M. O'Neill, as Administratrix,
Petitioner,
109 vs.
Cunard White Star, Ltd.

ON CONSIDERATION of the motion for leave to file brief of Friends of Furuseth Legislative Association as amicus curiae in this case,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, granted.

Per Mr. Chief Justice Vinson.

Catherine M. O'Neill, as Administratrix,
Petitioner,
109 vs.
Cunard White Star, Ltd.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Second Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Hiram H. Halstead,

Petitioner,

151 vs.

Industrial Accident Commission of the State of California.

ON CONSIDERATION of the motion to dispense with the printing of the petition and record in this case,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, granted.

Per Mr. Chief Justice Vinson.

Hiram H. Halstead,

Petitioner,

151 vs.

Industrial Accident Commission of the State of California.

On petition for writ of certiorari to the Supreme Court of the State of California.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of California, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

James Yates,

Petitioner,

156 vs.

Edward Ball.

ON CONSIDERATION of the motion to dispense with the printing of the record in this case,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, granted.

Per Mr. Chief Justice Vinson.

James Yates,

Petitioner,

156 vs.

Edward Ball.

On petition for writ of certiorari to the Supreme Court of the State of Florida.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of Florida, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

William Roy Miller,

Petitioner,

172 vs.

Joseph W. Sanford, Warden, etc.

ON CONSIDERATION of the motion to dispense with the printing of the petition and record in this case,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, granted.

Per Mr. Chief Justice Vinson.

William Roy Miller,

Petitioner,

172 vs.

Joseph W. Sanford, Warden, United States Penitentiary, Atlanta, Georgia.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Fifth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Otto H. Kruger,

Petitioner,

200 vs.

Ned Whitehead, Doing Business Under the Fictitious Name of Whitehead Co.

ON CONSIDERATION of the motion to dispense with the printing of the record in this case,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, granted.

Per Mr. Chief Justice Vinson.

Otto H. Kruger,

Petitioner,

200 vs.

Ned Whitehead, Doing Business Under the Fictitious Name of Whitehead Co.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Ninth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Herbert M. Gregory,

Petitioner,

203 vs.

The United States.

ON CONSIDERATION of the motion to dispense with the printing of the petition, brief, and record in this case,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, granted.

Per Mr. Chief Justice Vinson.

Herbert M. Gregory, Petitioner, vs. The United States. — On petition for writ of certiorari to The Court of Claims.

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ON CONSIDERATION of the petition for a writ of certiorari herein to the Court of Claims and of the argument of counsel thereupon had, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Gordons Transports, Inc., Petitioner, vs. L. Metcalfe Walling, Administrator of the Wage and Hour Division of the United States Department of Labor.

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ON CONSIDERATION of the motion to substitute William R. McComb, present Administrator of the Wage and Hour Division of the United States Department of Labor, in the place and stead of L. Metcalfe Walling, resigned,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, granted and that the cause be so continued and maintained.

Per Mr. Chief Justice Vinson.

Gordons Transports, Inc., Petitioner, vs. William R. McComb, Administrator of the Wage and Hour Division of the United States Department of Labor. — On petition for writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit.

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ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Sixth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

W. S. Hollingsworth, et al.,

Petitioners,

251 vs.

Cities Service Oil Company.

ON CONSIDERATION of the motion to dispense with the printing of the petition and record in this case,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, granted.

Per Mr. Chief Justice Vinson.

W. S. Hollingsworth, et al., Petitioners,

251 vs.

Cities Service Oil Company.

On petition for writ of certiorari to the Court of Civil Appeals of the State of Texas, 9th Supreme Judicial District.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Court of Civil Appeals of the State of Texas, 9th Supreme Judicial District, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

N. L. Hudson, et al.,

Petitioners,

262 vs.

Gulf Refining Company, et al.

ON CONSIDERATION of the motion to dispense with the printing of the record in this case,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, granted.

Per Mr. Chief Justice Vinson.

M. L. Hudson, et al.,

Petitioners,

262 vs.

Gulf Refining Company, et al.

On petition for writ of certiorari to the Supreme Court of the State of Mississippi.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of Mississippi, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

William H. Frederick and Nathan Gilbert,

Petitioners,

276 vs.

The United States of America.

ON CONSIDERATION of the motion to dispense with the printing of the record in this case,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, granted.

Per Mr. Chief Justice Vinson.

William H. Frederick and Nathan Gilbert,

Petitioners,

276 vs.

The United States of America.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Ninth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Henry Lustig, E. Allen Lustig and Joseph Sobel,

Petitioners,

279 vs.

The United States of America.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Second Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Justice Black.

The Chief Justice took no part in the consideration or decision of this application.

Charles Roosevelt Winston,

Petitioner,

43 vs.

People of the State of Illinois.

On petition for writ of certiorari to the Supreme Court of the State of Illinois.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

James Russell Hawthorne,

Petitioner,

104 vs.

Joseph W. Sanford, Warden, United States Penitentiary, Atlanta, Georgia.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

The United States of America,

Appellant,

89 O.T. 1946 vs.

National Lead Company, Titan Company, Inc., and E. I. du Pont de Nemours and Company;

National Lead Company, and Titan Company, Inc.,

Appellants,

90 O.T. 1946 vs.

The United States of America; and

E. I. du Pont de Nemours and Company,

Appellant,

91 O.T. 1946 vs.

The United States of America.

IT IS ORDERED that the opinion of the Court in these cases be amended by deleting therefrom the following language appearing on lines 9 to 16 inclusive on page 30 of the slip copy print:

"Existing precedents of divestiture provide examples of the restoration of a pre-existing separate status to companies or properties which have been unlawfully combined rather than to the fission of units which never have been separated. United States v. Crescent Amusement Co., 323 U. S. 173, 189; Standard Oil Co. v. United States, 221 U. S. 1, 77-82. Cf. Northern Securities Co. v. United States, 193 U. S. 197, 354-360."

Per Mr. Chief Justice Vinson.

Aircraft & Diesel Equipment Corporation,

Appellant,

95 O.T. 1946 vs.

Maurice Hirsch, E. D. McDougal, John R. Paul, et al.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

It is further ordered that the opinion of the Court in this case be amended by deleting therefrom the following language appearing in footnote 6 on page 3 of the slip copy print: "although we are informed that the causes have been argued and submitted for decision."

Per Mr. Chief Justice Vinson.

J. Robert Bazley,

Petitioner,

287 O.T. 1946 vs.

Commissioner of Internal Revenue; and

Adam A. Adams,

Petitioner,

209 O.T. 1946 vs.

Commissioner of Internal Revenue.

IT IS ORDERED that the sentence beginning on line 4, page 6, of the slip copy print of the opinion in these cases be amended so as to read as follows:

"And even if this transaction were deemed a reorganization, the facts would equally sustain the imposition of the tax on the debentures under § 112 (c) (1) and (2). Commissioner v. Estate of Bedford, 325 U. S. 283."

Per Mr. Chief Justice Vinson.

J. Robert Bazley,

Petitioner,

287 O.T. 1946 vs.

Commissioner of Internal Revenue; and

Adam A. Adams,

Petitioner,

209 O.T. 1946 vs.

Commissioner of Internal Revenue.

Petitions for rehearing having been filed in these cases,

Upon consideration thereof, it is ordered by this Court that the said petitions be, and the same are hereby, denied.

Per Mr. Chief Justice Vinson.

Securities and Exchange Commission,

Petitioner,

81 O.T. 1946 vs.

Chenery Corporation, et al.; and

Securities and Exchange Commission,

Petitioner,

82 O.T. 1946 vs.

Federal Water and Gas Corporation.

Petitions for rehearing having been filed in these cases,

UPON CONSIDERATION thereof, it is ordered by this Court that the petitions for rehearing be, and the same are hereby, denied.

Per Mr. Justice Black.

The Chief Justice and Mr. Justice Douglas took no part in the consideration or decision of these applications.

Joseph S. Fay,

Petitioner,

377 O.T. 1946 vs.

The People of the State of New York; and

James Bove,

Petitioner,

452 O.T. 1946 vs.

The People of the State of New York.

A petition for rehearing and motion for leave to file supplemental petition for rehearing in those cases having been submitted;

UPON CONSIDERATION WHEREOF, it is ordered by this Court that the motion for leave to file supplemental petition for rehearing be, and the same is hereby, granted; and that the petition for rehearing be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Peter Caldarola,

Petitioner,

625 O.T. 1946 vs.

Gerda Eckert and Thor Eckert, Jr., Partners, etc.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

It is further ordered that the motion of International Longshoreman's Ass'n. for leave to file brief as amicus curiae herein be, and the same is hereby, granted.

Per Mr. Chief Justice Vinson.

The United States of America,

Petitioner,

793 O.T. 1946 vs.

Elliott W. Michener.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

It is further ordered that the petition for issuance of a supplementary opinion be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Howard T. Jensen,

Petitioner,

1220 O.T. 1946 vs.

The United States of America.

ON CONSIDERATION of the motion for leave to proceed further herein in forma pauperis, the motion for leave to file supplemental brief, and of the petition for rehearing,

IT IS ORDERED by this Court that the said motions be, and the same are hereby, granted; and that the petition for rehearing be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Bennett Mellen, a Minor, etc.,

Petitioner,

1322 O.T. 1946 vs.

H. B. Hirsch & Sons, et al.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

It is further ordered that the motion to dispense with the printing of the petition be, and the same is hereby, granted.

Per Mr. Chief Justice Vinson.

Admiral Dewey Adamson,

Appellant,

102 O.T. 1946 vs.

People of the State of California.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Herman Greenberg,

Appellant,

466 O.T. 1946 vs.

The People of the State of California.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Marvin Gayos,

Petitioner,

405 O.T. 1946 vs.

The State of New York.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

William Greenough and George Henry Warren, Jr., Trustees,

Appellants,

461 O.T. 1946 vs.

Tax Assessors of the City of Newport, et al.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

The United States of America,

Petitioner,

498 O.T. 1946 vs.

Honorable William P. Smith, a District Judge, etc.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Rutherford Food Corporation, et al.,

Petitioners,

562 O.T. 1946 vs.

William R. McComb, Administrator of the Wage and Hour Division, etc.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

The United States of America,

Petitioner,

606 O.T. 1946 vs.

Samuel Bayer, Elias Bayer and Walter V. Radovich.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Interstate Natural Gas Company, Inc.,

Petitioner,

733 O.T. 1946 vs.

Federal Power Commission, et al.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Myrl Alexander, Wardon,

Petitioner,

840 O.T. 1946 vs.

United States, ex rel. John Myron Kulick; and

Theodore Martin Sunal,

Petitioner,

535 O.T. 1946 vs.

David R. Largo, Superintendent, Federal Prison Camp, Mill Point, West Virginia.

A petition for rehearing having been filed in these cases,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Twyeffort, Inc.,

Petitioner,

987 O.T. 1946 vs.

William R. McComb, Administrator of the Wage and Hour Division, etc.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Kiyoichi Fujikawa, et al.,

Petitioners,

1210 O.T. 1946 vs.

The Sunrise Soda Works Company, et al.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Victor Lagow,

Petitioner,

1222 O.T. 1946 vs.

The United States of America.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

H. L. Myers,

Petitioner,

1228 O.T. 1946 vs.

Walter A. Hunter, Warden.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Payseff Tinkoff,

Petitioner,

1263 O.T. 1946 vs.

Nigel D. Campbell, Collector of Internal Revenue.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

I. H. Spears,

Appellant,

1286 O.T. 1946 & 1370 O.T. 1946 vs.

Eva Mae Spears.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Alfred W. Masters,

Petitioner,

1297 O.T. 1946 vs.

The New York Central Railroad Company.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

The Standard Oil Company,

Petitioner,

1299 O.T. 1946 vs.

The United States of America.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Corn Products Refining Company,

Appellant,

1309 O.T. 1946 vs.

The United States of America, et al.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Oscar Nelson,

Petitioner,

1311 O.T. 1946 vs.

The United States.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Fred C. Cave,

Petitioner,

1320 O.T. 1946 vs.

The United States of America.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

C. A. Poteet, R. O. Jackson, Harry Wright, et al.,

Petitioners,

1321 O.T. 1946 vs.

Steve Rogers.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Raymond de Filippis,

Petitioner,

1338 O.T. 1946 vs.

Chrysler Corporation, et al.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Bernard M. Shotkin,

Petitioner,

1343 O.T. 1946 vs.

Edgar E. Pomeroy, et al.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Humble Oil & Refining Company,

Appellant,

1344 O.T. 1946 vs.

The Railroad Commission of Texas, et al.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Floy K. Williams, et al.,

Appellants,

1345 O.T. 1946 vs.

The Railroad Commission of Texas, et al.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Joseph C. Roberts,

Petitioner,

1364 O.T. 1946 vs.

Joseph E. Ragen, Warden, Illinois State Penitentiary, etc.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Stokes & Smith Company,

Petitioner,

1376 O.T. 1946 vs.

Transparent-Wrap Machine Corporation.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Martin Fletcher Lowrey,

Petitioner,

1394 O.T. 1946 vs.

The United States of America.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Jacob Louis Auerbach,

Petitioner,

1432 O.T. 1946 vs.

Philip B. Fleming, Temporary Controls Administrator.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Patrick Flaherty,

Petitioner,

1455 O.T. 1946 vs.

The People of the State of Illinois.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Consumers Home Equipment, et al.,

Petitioners,

1462 O.T. 1946 vs.

The United States of America.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Richard Cecil Wilson,

Petitioner,

1470 O.T. 1946 vs.

The United States of America.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

William Wright,

Petitioner,

1498 O.T. 1946 vs.

Joseph E. Ragen, Warden, etc.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

George Small,

Petitioner,

1507 O.T. 1946 vs.

People of the State of New York.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

The United States of America,

Complainant,

10, Original vs.

The State of Wyoming and The Ohio Oil Company.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

The United States of America,

Complainant,

12, Original vs.

The State of California.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Jackson took no part in the consideration or decision of this application.

Beatrice Miller Montanye, Petitioner, vs. People of the State of New York. 1, Misc.

On petition for writ of certiorari to the Supreme Court of the State of New York, Lewis County.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Joseph Lucadama, Petitioner, vs. People of the State of New York. 2, Misc.

On petition for writ of certiorari to the County Court of Kings County, State of New York.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Manuel Rego Seren, Petitioner, vs. Joseph E. Ragen, Warden. — On petition for writ of certiorari to the Criminal Court of Cook County, Circuit Court of Will County, and Supreme Court, State of Illinois.

3, Misc.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Livingston Taylor, Petitioner, vs. Joseph E. Ragen, Warden. — On petition for writ of certiorari to the Criminal Court of Cook County, State of Illinois.

4, Misc.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Ida M. Picking and Guy W. Picking, Petitioners, vs. The Pennsylvania Railroad Company. — On petition for writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit.

6, Misc.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Henry Harris, Petitioner, vs. State of Indiana.
7, Misc.

On petition for writ of certiorari to the Supreme Court of the State of Indiana.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Frank Arnold, Petitioner, vs. Walter Nierstheimer, Warden.
8, Misc.

On petition for writ of certiorari to the Supreme Court of the State of Illinois.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Ivan L. Wagner, Petitioner, vs. Walter A. Hunter, Warden.
9, Misc.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Tenth Circuit.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Jack A. Reid,
Petitioner,
11, Misc. vs.
People of the State of Illinois.

On petition for writ of certiorari to the Supreme Court of the State of Illinois.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Peter Bosaiavich, Jr.,
Petitioner,
13, Misc. vs.
Joseph E. Ragen, Warden.

On petition for writ of certiorari to the Supreme Court of the State of Illinois and the Circuit Court of Macoupin County, State of Illinois.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Roy Courtwright,
Petitioner,
14, Misc. vs.
Joseph E. Ragen, Warden.

On petition for writ of certiorari to the Circuit Court of Will County, State of Illinois.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Edward Prouty, Petitioner, vs. People of the State of New York.

On petition for writ of certiorari to the County Court of Saratoga County, State of New York.

15, Misc.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Robert Holland, Petitioner, vs. Joseph E. Ragen, Warden.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit.

16, Misc.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

John Staryak, Petitioner, vs. People of the State of Illinois.

On petition for writ of certiorari to the Supreme Court of the State of Illinois.

18, Misc.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

August Butler,

Petitioner,

19, Misc. vs.

Gerald F. Bush, Warden.

On petition for writ of certiorari to the Supreme Court of the State of Michigan.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Henry Thompson,

Petitioner,

20, Misc. vs.

Walter Mierstheimer, Warden.

On petition for writ of certiorari to the Supreme Court of the State of Illinois.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

James M. Shiflett,

Petitioner,

21, Misc. vs.

E. J. Welch, Superintendent.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Richard Anderson Lowe, Petitioner, vs. The United States of America. — On petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

22, Misc.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Raymond D. Geddes, Petitioner, vs. People of the State of Illinois. — On petition for writ of certiorari to the Circuit Court of Macon County, State of Illinois.

23, Misc.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Clinton Kemp, Petitioner, vs. People of the State of Illinois. — On petition for writ of certiorari to the Supreme Court of the State of Illinois.

24, Misc.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Paul Davis Sheridan, Petitioner,
25, Misc. vs.
The United States of America.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

William E. Fife, Petitioner,
26, Misc. vs.
The Great Atlantic & Pacific Tea Co., et al.

On petition for writ of certiorari to the Supreme Court of the Commonwealth of Pennsylvania.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Roy Courtwright, Petitioner,
28, Misc. vs.
Joseph E. Ragen, Warden.

On petition for writ of certiorari to the Criminal Court of Cook County, State of Illinois.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Ambrose Powell, Petitioner,
29, Misc. vs.
Joseph E. Ragen, Warden.

On petition for writ of certiorari to the Criminal Court of Cook County, State of Illinois.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Peter Ristich, Petitioner,
30, Misc. vs.
Joseph E. Ragen, Warden.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

William M. Putscher, Petitioner,
31, Misc. vs.
People of the State of Illinois.

On petition for writ of certiorari to the Supreme Court of the State of Illinois.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

John M. Canada,

Petitioner,

32, Misc. vs.

James M. Jones, Warden.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

George Phillips,

Petitioner,

33, Misc. vs.

J. Vernal Jackson, Warden.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Charles Skinner,

Petitioner,

34, Misc. vs.

People of the State of Illinois.

On petition for writ of certiorari to the Supreme Court of the State of Illinois.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Martin Finn, Petitioner, vs. Joseph E. Ragen, Warden.

On petition for writ of certiorari to the Circuit Court of Will County, State of Illinois.

55, Misc.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Willard Schray, Petitioner, vs. Joseph E. Ragen, Warden.

On petition for writ of certiorari to the Circuit Court of Lake County, State of Illinois.

36, Misc.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Henry Hawk, Petitioner, vs. James M. Jones, Warden.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit.

37, Misc.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Dee Em Murphy,

Petitioner,

38, Misc. vs.

People of the State of California.

On petition for writ of certiorari to the Supreme Court of the State of California.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

John W. Morton,

Petitioner,

39, Misc. vs.

E. J. Welch, Superintendent.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Alva Jones,

Petitioner,

40, Misc. vs.

People of the State of Illinois.

On petition for writ of certiorari to the Supreme Court of the State of Illinois.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Maitland E. Brown, Petitioner, vs. People of the State of Illinois. — On petition for writ of certiorari to the Supreme Court of the State of Illinois.

41, Misc.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Elmer Owens, Petitioner, vs. People of the State of Illinois. — On petition for writ of certiorari to the Supreme Court of the State of Illinois.

42, Misc.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Frank Campbell, Petitioner, vs. The State of Mississippi. — On petition for writ of certiorari to the Supreme Court of the State of Mississippi.

43, Misc.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Clarence Bertrand, Petitioner, vs. People of the State of Illinois.

On petition for writ of certiorari to the Supreme Court of the State of Illinois.

44, Misc.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Carl Hamby, Petitioner, vs. Joseph E. Ragen, Warden.

On petition for writ of certiorari to the Circuit Court of Will County, State of Illinois.

45, Misc.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Garrett Fredericks, Petitioner, vs. Joseph E. Ragen, Warden.

On petition for writ of certiorari to the Circuit Court of Ogle County, State of Illinois.

46, Misc.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Omar Mills, Petitioner,
47, Misc. vs.
Joseph E. Ragen, Warden.

On petition for writ of certiorari to the Circuit Court of Will County, State of Illinois.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Harvey Bistany, Petitioner,
48, Misc. vs.
The New York State Parole Board.

On petition for writ of certiorari to the Appellate Division of the Supreme Court of New York, Fourth Judicial Department.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Herman Barmore, Petitioner,
49, Misc. vs.
People of the State of New York.

On petition for writ of certiorari to the County Court of Chemung County, State of New York.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Billy Bernard Bledsoe,
Petitioner,
51, Misc. vs.
The United States of America.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Joseph Rios,
Petitioner,
54, Misc. vs.
Joseph E. Ragen, Warden.

On petition for writ of certiorari to the Criminal Court of Cook County, State of Illinois.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Charles J. Thompson,
Petitioner,
56, Misc. vs.
Joseph E. Ragen, Warden.

On petition for writ of certiorari to the Circuit Court of Will County, State of Illinois.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Edgar Nobare, Petitioner, vs. People of the State of Michigan.

58, Misc. On petition for writ of certiorari to the Supreme Court of the State of Michigan.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Edward Wheeler, Petitioner, vs. Joseph E. Ragen, Warden.

59, Misc. On petition for writ of certiorari to the Circuit Court of Livingston County, State of Illinois.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Edgar Lee Rawls, Petitioner, vs. The United States of America.

61, Misc. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Tenth Circuit.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Maitland E. Brown, Petitioner, vs. Joseph E. Ragen, Warden.

On petition for writ of certiorari to the Circuit Court of Will County, State of Illinois.

62, Misc.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Charles Telfian, Petitioner, vs. Joseph W. Sanford, Warden.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit.

63, Misc.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Everett Rheim, Petitioner, vs. People of the State of New York.

On petition for writ of certiorari to the Supreme Court of the State of New York, Appellate Division, First Judicial Department.

64, Misc.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

William Upshaw, Petitioner, vs. People of the State of New York.

68, Misc.

On petition for writ of certiorari to the Court of General Sessions, New York County, State of New York.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Ervin Galloway, Petitioner, vs. State of Missouri.

69, Misc.

On petition for writ of certiorari to the Supreme Court of the State of Missouri.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Harold Fields, Petitioner, vs. Ben B. Stewart, Warden.

70, Misc.

On petition for writ of certiorari to the Supreme Court of the State of Missouri.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mike Schultz,

Petitioner,

71, Misc. vs.

People of the State of Illinois.

On petition for writ of certiorari to the Supreme Court of the State of Illinois.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Thomas Perritano,

Petitioner,

73, Misc. vs.

People of the State of New York.

On petition for writ of certiorari to the County Court of Erie County, State of New York.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mark Albanese, by His Mother and Next Friend, Barbara Mary Meinhofer,

Petitioner,

76, Misc. vs.

Hubert Richter.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Charles Wilkerson, Petitioner, vs. Joseph E. Ragen, Warden. — On petition for writ of certiorari to the Criminal Court of Cook County, State of Illinois.

77, Misc.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Fred E. Mosteller, Petitioner, vs. Joseph E. Ragen, Warden. — On petition for writ of certiorari to the Circuit Court of Edgar County, State of Illinois.

79, Misc.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Joseph Sanchez, Petitioner, vs. People of the State of New York. — On petition for writ of certiorari to the Court of Appeals of the State of New York.

80, Misc.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Joseph Bernovich, Petitioner, vs. Joseph E. Ragen, Warden. — On petition for writ of certiorari to the Circuit Court of Peoria County, State of Illinois.

83, Misc.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Spencer Bartling, Petitioner, vs. Walter Nierstheimer, Warden. — On petition for writ of certiorari to the Circuit Court of Randolph County, State of Illinois.

84, Misc.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Robert Brown, Petitioner, vs. Lloyd C. Fay, Supervisor of Records. — On petition for writ of certiorari to the Supreme Court of the State of Michigan.

85, Misc.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Linton Alvin, Petitioner, vs. State of Michigan, ex rel. Gerald W. Groat, Judge.

87, Misc.

On petition for writ of certiorari to the Supreme Court of the State of Michigan.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Ray Leo Baugh, Petitioner, vs. Joseph E. Ragen, Warden.

90, Misc.

On petition for writ of certiorari to the Circuit Court of Will County, State of Illinois.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Glenn Ross Griffin, Petitioner, vs. Joseph E. Ragen, Warden.

91, Misc.

On petition for writ of certiorari to the Circuit Court of Will County, State of Illinois.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Henry Clay Barland, Petitioner, vs. Joseph E. Ragen, Warden. — On petition for writ of certiorari to the Circuit Court of Will County, State of Illinois.

93, Misc.

IN CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

John Jablonwski, Petitioner, vs. J. Vernel Jackson, Warden. — On petition for writ of certiorari to the County Court of Clinton County, State of New York.

94, Misc.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Peter Bosnjavich, Petitioner, vs. Joseph E. Ragen, Warden. — On petition for writ of certiorari to the Circuit Court of Will County, State of Illinois.

96, Misc.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Everett Ross,
Petitioner,
97, Misc. vs.
Joseph E. Ragen, Warden.

On petition for writ of certiorari to the Circuit Court of Will County, State of Illinois.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Harold E. Rapp,
Petitioner,
99, Misc. vs.
Walter E. Hiersheimer, Warden.

On petition for writ of certiorari to the Circuit Court of Randolph County, State of Illinois.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

J. L. Stern,
Petitioner,
52, Misc. vs.
Matt B. Cox and William H. Cox, Executors.

On petition for writ of certiorari to the Supreme Court of the State of Tennessee.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

J. L. Stern,

Petitioner,

52, Misc. vs.

Matt B. Cox and William H. Cox, Executors.

ON CONSIDERATION of the motion to strike respondents' brief in this case,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

George McKay,

Petitioner,

65, Misc. vs.

A. B. Foster, Sheriff.

On petition for writ of certiorari to the Supreme Court of the State of Georgia.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied for the reason that the judgment of the court below is based upon a non-federal ground adequate to support it.

Per Mr. Chief Justice Vinson.

Hubert J. Gapinski,

Petitioner,

5, Misc. vs.

Hon. Fred L. Wham, U. S. District Judge.

ON CONSIDERATION of the motion for leave to file a petition for writ of mandamus herein,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Booker T. Dockery,

Petitioner,

98, Misc. vs.

Sterling Hutcheson, Judge of the District Court, etc.

ON CONSIDERATION of the motion for leave to file a petition for writ of mandamus herein,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Ex parte Brown Davis,

Petitioner.

10, Misc.

ON CONSIDERATION of the motion for leave to file a petition for writ of habeas corpus herein,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

John J. Rollo,

Petitioner,

57, Misc. vs.

People of the State of Michigan.

ON CONSIDERATION of the motion for leave to file a petition for writ of habeas corpus herein,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

George S. Miller,

Petitioner,

60, Misc. vs.

Dr. Silas W. Weltmer, Superintendent.

ON CONSIDERATION of the motion for leave to file a petition for writ of habeas corpus herein,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Richard Kamrowski,

Petitioner,

67, Misc. vs.

Joseph E. Ragen, Warden.

ON CONSIDERATION of the motion for leave to file a petition for writ of habeas corpus herein,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

James B. Edwards,

Petitioner,

38, Misc. vs.

Donald Clemmer, Director of Department of Correction, et al.

ON CONSIDERATION of the motion for leave to file a petition for writ of habeas corpus herein,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Albert Lane,

Petitioner,

12, Misc. vs.

C. S. Smith Metropolitan Market Co., et al.

ON CONSIDERATION of the motion for leave to file a petition for writ of certiorari in this case,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

W. E. Maxwell,

Petitioner,

82, Misc. vs.

Robert H. Hudspeth, Warden.

ON CONSIDERATION of the motion for leave to file a petition for writ of certiorari in this case,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

William Richard Williams,

Petitioner,

72, Misc. vs.

Gaston L. Porterie, United States District Judge.

ON CONSIDERATION of the motion for leave to file a petition for writ of quo warranto herein,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

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The United States of America and Interstate Commerce Commission,

Appellants,

127 vs.

The Short Line, Inc., and

New England Greyhound Lines, Inc.,

Appellant,

128 vs.

The Short Line, Inc.

Appeals from the District Court of the United States for the District of Connecticut.

IT APPEARING to the Court that counsel for the respective parties have filed joint motions to dismiss the appeals in this cause;

THEREFORE, pursuant to said joint motions, it is ordered by this Court that the appeals herein be, and the same are hereby, dismissed and that the mandate issue forthwith.

Per Mr. Chief Justice Vinson.

Guaranty Trust Company of New York,

Petitioner,

239 vs.

The United States of America.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

IT APPEARING to the Court that counsel for the petitioner have filed a motion to dismiss the petition for writ of certiorari in this case,

NOW THEREFORE, pursuant to said motion, it is ordered by this Court that the petition for writ of certiorari in this case be, and the same is hereby, dismissed.

Per Mr. Chief Justice Vinson.

Guaranty Trust Company of New York,

Petitioner,

240 vs.

The United States of America.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

IT APPEARING to the Court that counsel for the petitioner have filed a motion to dismiss the petition for writ of certiorari in this case,

THEREFORE, pursuant to said motion, it is ordered by this Court that the petition for writ of certiorari in this case be, and the same is hereby, dismissed.

Per Mr. Chief Justice Vinson.

The United States of America, Petitioner, vs. The Guaranty Trust Company of New York. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

313

IT APPEARING to the Court that counsel for the petitioner have filed a motion to dismiss the petition for writ of certiorari in this case,

THEREFORE, pursuant to said motion, it is ordered by this Court that the petition for writ of certiorari in this case be, and the same is hereby, dismissed.

Per Mr. Chief Justice Vinson.

The United States of America, Petitioner, vs. The Guaranty Trust Company of New York. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

314

IT APPEARING to the Court that counsel for the petitioner have filed a motion to dismiss the petition for writ of certiorari in this case,

THEREFORE, pursuant to said motion, it is ordered by this Court that the petition for writ of certiorari in this case be, and the same is hereby, dismissed.

Per Mr. Chief Justice Vinson.

The United States of America, Petitioner, vs. Irwin Steingut, et al., as Receivers of the Assets in New York of Russo-Asiatic Bank, et al. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

315

IT APPEARING to the Court that counsel for the petitioner have filed a motion to dismiss the petition for writ of certiorari in this case,

THEREFORE, pursuant to said motion, it is ordered by this Court that the petition for writ of certiorari in this case be, and the same is hereby, dismissed.

Per Mr. Chief Justice Vinson.

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Joseph F. Maggio,

Petitioner,

vs.

Raymond Zeitz, as Trustee in Bankruptcy of Luna Camera Service, Inc.

Submitted by Mr. Max Schwartz for the petitioner, and Mr. Joseph Glass for the respondent.

Donald Wade,

Petitioner,

vs.

Nathan Mayo, as State Prison Custodian of the State of Florida.

Submitted by Mr. E. M. Baynes for the petitioner, and Mr. J. Tom Watson and Mr. Sumter Leitner for the respondent.

James F. Morris,

Petitioner,

vs.

William R. McComb, Administrator of the Wage and Hour Division, United States Department of Labor.

Argued by Mr. George S. Dixon for the petitioner, and Mr. Harold Nystrom for the respondent.

Central Greyhound Lines, Inc., of New York,

Appellant,

14 vs.

Carroll E. Mealey, et al., Constituting the State Tax Commission of the State of New York.

Argued by Mr. Tracy H. Ferguson for the appellant, and by Mr. John G. Crary, Jr., for the appellees.

Priebe & Sons, Inc.,

Petitioner,

16 vs.

The United States.

Argument commenced by Mr. J. Arthur Miller for the petitioner, continued by Mr. Philip Elman for the respondent, and concluded by Mr. Allen H. Gardner for the petitioner.

Margaret E. Sherrer,

Petitioner,

36 vs.

Edward C. Sherrer.

Argument commenced by Mr. Frederick M. Myers for the petitioner.

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Proclamation being made the Court is adjourned until tomorrow at 12 o'clock.

Pursuant to adjournment the Court met at the Supreme Court Building.

PRESENT:

The Honorable Fred M. Vinson, Chief Justice,
Hugo L. Black,
Stanley Reed,
Felix Frankfurter,
William O. Douglas,
Frank Murphy,
Robert H. Jackson,
Wiley Rutledge,
Harold H. Burton.
Associate Justices.

Thomas Ennalls Waggaman, Esquire, Marshal,

Charles Elmore Cropley, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. R. A. Van Orsdel, It is ordered that Andrew B. Duvall, Jr., Esquire, of Washington, District of Columbia, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Joseph A. Panelli, It is ordered that C. Benedict Mauro, Esquire, of New York, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Albert Smith Faught, It is ordered that William Buchanan Gold, Jr., Esquire, of Philadelphia, Commonwealth of Pennsylvania, and Stanley L. Thornton, Esquire, of Philadelphia, Commonwealth of Pennsylvania, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. George H. Mason, It is ordered that Berge C. Tashjian, Esquire, of Westboro, Commonwealth of Massachusetts, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Roy St. Lewis, It is ordered that Solon Williams Smith, Esquire, of Oklahoma City, State of Oklahoma, be admitted to practice as an Attorney and Counsellor of

this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. James Caleb Boggs, It is ordered that Henry A. Wise, Jr., Esquire, of Wilmington, State of Delaware, and August P. Walz, Esquire, of Wilmington, State of Delaware, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

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Commissioner of Internal Revenue,

Petitioner,

384 vs.

South Texas Lumber Company.

ON CONSIDERATION of the application of counsel for respondent to extend the time to file respondent's brief,

IT IS ORDERED by this Court that the said application be, and the same is hereby, granted and the time is extended to and including November 14.

Per Mr. Chief Justice Vinson.

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Margaret E. Sherrer,

Petitioner,

36 vs.

Edward C. Sherrer.

Argument continued by Mr. Frederick M. Myers for the petitioner; by Mr. Lincoln S. Cain and by Mr. Robert T. Capeless for the respondent, and concluded by Mr. Frederick M. Myers for the petitioner.

Martin V. B. Coo,

Petitioner,

37 vs.

Katharine C. Coo.

Argued by Mr. Samuel Forman for the petitioner, and Mr. Francis M. Shea for the respondent.

Wesley William Cox,

Petitioner,

66 vs.

The United States of America;

Theodore Romaine Thompson,

Petitioner,

67 vs.

The United States of America; and

Wilbur Roisum,

Petitioner,

68 vs.

The United States of America.

Argument commenced by Mr. Hayden C. Covington for the petitioners.

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Proclamation being made the Court is adjourned until tomorrow at 12 o'clock.

WEDNESDAY, OCTOBER 15, 1945.

Pursuant to adjournment the Court met at the Supreme Court Building.

PRESENT:

The Honorable Fred M. Vinson, Chief Justice,
Hugo L. Black,
Stanley Reed,
Felix Frankfurter,
William O. Douglas,
Frank Murphy,
Robert H. Jackson,
Wiley Rutledge,
Harold H. Burton. Associate Justices.

Thomas Ennalls Waggaman, Esquire, Marshal,
Charles Elmore Cropley, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. [illegible] J. Courtney, It is ordered that Warren H. May, Esquire, of [illegible], State of Missouri, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Herman C. Biegel, It is ordered that Harold Gold, Esquire, of New York, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. [illegible] M. Harter, It is ordered that Solie A. Abrams, Esquire, of San Francisco, State of California, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Charles Grant Stetter, It is ordered that Irving T. Weeks, Esquire, of Los Angeles, State of California, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. A. Norman [illegible], It is ordered that Benjamin M. [illegible], Esquire, of New York, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Robert T. Murphy, It is ordered that Christopher Del Sesto, Esquire, of Providence, State of Rhode Island, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Joseph Forer, It is ordered that James E. Birdsall, Esquire, of New York, State of New York, and Arthur G. Warner, Esquire, of New York, State of New York, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Orin deMotte Walker, It is ordered that Frank V. Dice, Esquire, of Peru, State of Indiana, and James D. Harrison, Esquire, of Indianapolis, State of Indiana, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. James Skelly Wright, It is ordered by this Court that Rudolph F. Becker, Jr., Esquire, of New Orleans, State of Louisiana, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

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Arthur Greenwood, et al.,

Petitioners,

402 vs.

Hotel & Restaurant Employees International Alliance, et al.

ON CONSIDERATION of the application to extend the time to make service of the petition, brief, and record in this case,

IT IS ORDERED by this Court that the time be extended to make such service to a date which is not later than 10 days after the giving of notice by the Clerk of this Court to counsel for the petitioner that the printed record has been delivered to such Clerk.

Per Mr. Chief Justice Vinson.

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Wesley William Cox,

Petitioner,

66 vs.

The United States of America;

Theodore Romaine Thompson,

Petitioner,

67 vs.

The United States of America; and

Wilbur Roisum,

Petitioner,

68 vs.

The United States of America.

Argument continued by Mr. Hayden C. Covington for the petitioners, by Mr. Irving S. Shapiro for the respondent, and concluded by Mr. Hayden C. Covington for the petitioners.

[illegible] Water,

Petitioner,

18 vs.

Texas Electric Railway Company.

Argued by Mr. Ralph Elliott for the petitioner, and by Mr. Alexander Gullett for the respondent.

Aero Mayflower Transit Company,

Appellant,

59 vs.

Board of Railroad Commissioners of the State of Montana, et al.

Argued by Mr. Edmond G. Toomey for the appellant, and by Mr. Clarence Manley for the appellees.

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Proclamation being made the Court is adjourned until tomorrow at 12 o'clock.

THURSDAY, OCTOBER 16, 1947.

Pursuant to adjournment the Court met at the Supreme Court Building.

PRESENT:

The Honorable Fred M. Vinson, Chief Justice,
Hugo L. Black,
Stanley Reed,
Felix Frankfurter,
William O. Douglas,
Frank Murphy,
Robert H. Jackson,
Wiley Rutledge,
Harold H. Burton,
Associate Justices.
Thomas Emmalls Waggaman, Esquire, Marshal,
Charles Elmore Cropley, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Addison T. Smith, It is ordered that Adrian A. Merrill, Esquire, of Idaho Falls, State of Idaho, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Antonio M. Fernandez, It is ordered that Louis C. Lujan, Esquire, of Albuquerque, State of New Mexico, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Wilbur D. Sparks, It is ordered that LeRoy E. Eastman, Esquire, of Toledo, State of Ohio, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Robert L. Stern, It is ordered that James J. Marshall, Esquire, of Miami, State of Florida, and John C. Stedman, Esquire, of Washington, District of Columbia, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

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International Salt Company, Incorporated,

Appellant,

46 vs.

The United States of America.

Argued by Mr. Lemuel Skidmore for the appellant, and Mr. Robert L. Stern for the appellee.

The Federal Crop Insurance Corporation,

Petitioner,

45 vs.

A. A. Merrill and M. D. Merrill, Co-partners, Doing Business Under the Firm Name and Style of Merrill Bros.

Argued by Mr. Harry I. Rand for the petitioner, and by Mr. A. A. Merrill for the respondents.

Frank Walter Mogall,

Petitioner,

48 vs.

The United States of America.

Argued by Mr. Rudolph F. Becker, Jr., for the petitioner, and by Mr. W. Marvin Smith for the respondent.

W. Clay Rodgers,

Petitioner,

58 vs.

The United States of America.

Argued by Mr. Stanley M. Silverberg for the respondent, and submitted by W. Clay Rodgers, pro se, with leave to petitioner to file a reply brief by October 24 next.

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Proclamation being made the Court is adjourned until tomorrow at 12 o'clock.

Pursuant to adjournment the Court met at the Supreme Court Building.

PRESENT:

The Honorable Fred M. Vinson, Chief Justice,
Hugo L. Black,
Stanley Reed,
Felix Frankfurter,
William O. Douglas,
Frank Murphy,
Robert H. Jackson,
Wiley Rutledge,
Harold H. Burton.
Associate Justices.

Thomas Ennalls Waggaman, Esquire, Marshal,

Charles Elmore Cropley, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Paul D. Page, Jr., It is ordered that Agnes C. O'Brien,* of San Francisco, State of California, be admitted to practice as an Attorney and Counsellor of this Court, and she was sworn accordingly.

*(Mrs. Clifford L. Smith)

On motion first made to the Court in this behalf by Mr. Frederick Bernays Wiener, It is ordered that Collman E. Yudelson, Esquire, of Council Bluffs, State of Iowa, and Charles Joseph McDonough, Esquire, of Buffalo, State of New York, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. James A. Glenn, It is ordered that Louis Waldman, Esquire, of New York, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

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The United States of America,

Petitioner,

61 vs.

Michael Di Re.

Argued by Mr. Frederick Bernays Wiener for the petitioner, and Mr. Charles J. McDonough for the respondent.

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Proclamation being made the Court is adjourned until Monday, October 20, next, at 12 o'clock.

Pursuant to adjournment the Court met at the Supreme Court Building.

PRESENT:

The Honorable Fred M. Vinson, Chief Justice,
Hugo L. Black,
Stanley Reed,
Felix Frankfurter,
William O. Douglas,
Frank Murphy,
Robert H. Jackson,
Wiley Rutledge,
Harold H. Burton,
Associate Justices.

Thomas Ennalls Waggaman, Esquire, Marshal,

Charles Elmore Cropley, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Solicitor General Philip B. Perlman, It is ordered that Joseph P. Ruggieri, Esquire, of Brooklyn, State of New York; Joseph J. Lennarie, Esquire, of Brooklyn, State of New York; Carl C. Banno, Esquire, of Brooklyn, State of New York; Walter R. Hutchinson, Esquire, of Cedar Rapids, State of Iowa; Joseph M. Donahue, Esquire, of Saint Paul, State of Minnesota; A. Jerome Hoffman, Esquire, of Saint Paul, State of Minnesota, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Estes Kefauver, It is ordered that Beverly Shoun Burbage, Esquire, of Knoxville, State of Tennessee, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Homer Ferguson, It is ordered that Charles Wright, Jr., Esquire, of Detroit, State of Michigan, and Robert E. McKean, Esquire, of Detroit, State of Michigan, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. James E. Markham, It is ordered that Kenneth G. Spaulding, Esquire, of Chicago, State of Illinois; Peter Harold Healy, Esquire, of Lowell, Commonwealth of Massachusetts; and Raymond D. O'Brien, Esquire, of Lowell, Commonwealth of Massachusetts, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Breck P. McAllister, It is ordered that Ira C. Werle, Esquire, of New York, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Philip Goldstein, It is ordered that Harry Sagotsky, Esquire, of Freehold, State of New Jersey, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Daniel W. O'Donoghue, Jr., It is ordered that Joseph M. Gartner, Esquire, of Chicago, State of Illinois, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Alan Johnstone, It is ordered that Donald M. Hatch, Esquire, of Wyandotte, State of Michigan, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Nathan B. Williams, It is ordered that William P. Kilmain, Esquire, of Bethesda, State of Maryland, and Francis W. Taylor, Esquire, of Silver Spring, State of Maryland, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. G. Bowdoin Craighill, It is ordered that Francis D. Murray, Esquire, of Stewart Manor, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Theodore LeBlanc, It is ordered that Edwin LeRoy Bright, Esquire, of Washington, District of Columbia, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Everett S. Mattoon, It is ordered that Duane J. Carnes, Esquire, of San Diego, State of California, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. William Paul Shelley, Jr., It is ordered that Ralph A. Marsicano, Esquire, of Tampa, State of Florida, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Stuart Knowlton Barnes, It is ordered that Mary Phelps Enders, of Washington, District of Columbia, be admitted to practice as an Attorney and Counsellor of this Court, and she was sworn accordingly. (Miss)

On motion first made to the Court in this behalf by Mr. Carl B. Klein, It is ordered that James D. Lynch, Esquire, of Chicago, State of Illinois, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Hyman Jacob Cohen, It is ordered that Esther Glantz, of New York, State of New York, and Joseph F. McCloy, Esquire, of New York, State of New York, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly. (Miss)

On motion first made to the Court in this behalf by Mr. David Wiener, It is ordered that Michael S. Procker, Esquire, of Newark, State of New Jersey, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Wendell Lund, It is ordered that Ralph E. Houseman, Esquire, of Grafton, State of Wisconsin, and Richard C. Benner, Esquire, of Grafton, State of Wisconsin, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mrs. Mabel Walker Willebrandt, It is ordered that Carmen Hallmeyer, of Novato, State of California, and Arline Cavins Matheron, of San Francisco, State of California, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly. (Miss; Mrs.)

On motion first made to the Court in this behalf by Mr. Lynne Anderson Warren, It is ordered that Charles B. McGroddy, Jr., Esquire, of New York, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

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The Chief Justice announced the following order of the Court:

Securities and Exchange Commission,
Petitioner,
1 vs.
Engineers Public Service Company, et al.; and

On writs of certiorari to the United States Court of Appeals for the District of Columbia.

Engineers Public Service Company, et al.,
Petitioners,
2 vs.
Securities and Exchange Commission.

It appearing to the Court that counsel for the respective parties have filed a joint motion to vacate the judgment of the Court of Appeals and to remand the cause to that court with directions to dismiss the petition for review as moot;

Therefore, pursuant to said motion, it is ordered and adjudged by this Court that the judgment of the Court of Appeals in this cause be, and the same is hereby, vacated; and that this cause be, and the same is hereby, remanded to the said Court of Appeals with directions to dismiss the petition for review as moot.

Per Mr. Justice Black.

The Chief Justice and Mr. Justice Douglas took no part in the consideration or decision of this cause.

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The Chief Justice said:

"The other orders of the Court appear upon the list certified by the Chief Justice and filed with the Clerk and will not be announced orally."

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The United States of America,

Appellant,

15 . . . vs.

Paul Evans.

ON CONSIDERATION of the motion of appellee for leave to proceed in forma pauperis in this cause,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, granted.

Per Mr. Chief Justice Vinson.

The Connecticut Mutual Life Insurance Company, et al.,

Appellants,

537 vs.

Frank C. Moore, Comptroller of the State of New York.

The statement of jurisdiction in this case having been submitted and considered by the Court, probable jurisdiction is noted.

Per Mr. Chief Justice Vinson.

The Connecticut Mutual Life Insurance Company, et al.,

Appellants,

337 vs.

Frank C. Moore, Comptroller of the State of New York.

Appeal from the Court of Appeals of the State of New York.

It appearing to the Court that counsel for the appellant, Union Labor Life Insurance Company, have filed a motion to dismiss the appeal herein as to it;

Therefore, pursuant to said motion, it is ordered by this Court that the appeal herein as to appellant, Union Labor Life Insurance Company, be, and the same is hereby, dismissed.

Per Mr. Chief Justice Vinson.

James M. Hurd and Mary I. Hurd,

Petitioners,

290 vs.

Frederic E. Hodge, et al.

Order allowing certiorari.

The petition herein for a writ of certiorari to the United States Court of Appeals for the District of Columbia is granted, and the case is assigned for argument immediately following No. 87, McGhee, et al. vs. Sipes, et al.

And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

Raphael D. Urciolo, Robert E. Howe, Isabelle J. Howe, et al.,

Petitioners,

291 vs.

Frederic E. Hodge, et al.

Order allowing certiorari.

The petition herein for a writ of certiorari to the United States Court of Appeals for the District of Columbia is granted, and the case is assigned for argument immediately following No. 87 and 290.

And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

St. Louis-San Francisco Railway Company, Debtor,
Petitioner,
211 vs.
Central Manover Bank and Trust Company, et al., Trustees, etc., et al.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Eighth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

St. Louis-San Francisco Railway Company, Debtor,
Petitioner,
212 vs.
Central Manover Bank and Trust Company, et al., Trustees, etc., et al.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Eighth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Moses Joseph Bracey, Raymond Johnson, Kelly Whiteley, et al.,
Petitioners,
217 vs.
Emanuel Luray, Trading as Luray Iron & Metal Company.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Fourth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

G. H. Love, Inc., Petitioner,

238 vs.

Philip Fleming, Administrator, Office of Temporary Controls.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Ninth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Sol Cohen, et al., Petitioners,

255 vs.

Cauldwell Wingate Co., Poirier & McLane Corporation.

On petition for writ of certiorari to the Court of Appeals of the State of New York.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Court of Appeals of the State of New York, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Lura D. Glassey and Henry L. Broening, Petitioners,

260 vs.

The People of the State of California.

On petition for writ of certiorari to the Superior Court in and for the County of Los Angeles, State of California.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Superior Court in and for the County of Los Angeles, State of California, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Robert Scott,
Petitioner,
vs.
City of Tampa, A Municipal Corporation.

On petition for writ of certiorari to the Supreme Court of the State of Florida.

266

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of Florida, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Roger Touhy,
Petitioner,
vs.
People of the State of Illinois.

On petition for writ of certiorari to the Supreme Court of the State of Illinois.

278

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of Illinois, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Albert R. Maulsby,
Petitioner,
vs.
Abraham Conzevoy, Doing Business as Golden State Casket Co.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit.

282

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Ninth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Samuel Hannah Fogel,
Petitioner,
285 vs.
The United States of America.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Fifth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

T. H. Reiter,
Petitioner,
288 vs.
Ernest Palmer (Impleaded with Illinois National Casualty Company, etc., et al.)

On petition for writ of certiorari to the Supreme Court of the State of Illinois.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of Illinois, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Robert Mix,
Petitioner,
297 vs.
State of Louisiana.

On petition for writ of certiorari to the Supreme Court of the State of Louisiana.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of Louisiana, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Swift & Company,

Petitioner,

302 vs.

National Labor Relations Board.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Third Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Clarence L. Myers and Otto L. Myers, Executors of the Will of Carrie Guggenheim, Deceased,

Petitioners,

303 vs.

New York State Tax Commission.

On petition for writ of certiorari to the Court of Appeals of the State of New York.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Court of Appeals of the State of New York, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Walter W. Burns,

Petitioner,

305 vs.

Oliver L. Spiller, Stewart M. Grayson, et al.

On petition for writ of certiorari to the United States Court of Appeals for the District of Columbia.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the District of Columbia, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

David H. Berman and Dorothy Berman, Co-Partners, Doing Business Under the Firm Name and Style of David H. Berman Company,

Petitioners,

307 vs.

Ernest L. Levine.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Seventh Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Louis Dunin,

Petitioner,

308 vs.

Alvin M. Cohen.

On petition for writ of certiorari to the Appellate Division of the Supreme Court, First Judicial Department, State of New York.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Appellate Division of the Supreme Court, First Judicial Department, State of New York, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

J. H. Boli,

Petitioner,

310 vs.

Hubert B. Scudder, as Real Estate Commissioner of the State of California.

On petition for writ of certiorari to the District Court of Appeal, 3rd Appellate District, State of California.

ON CONSIDERATION of the petition for a writ of certiorari herein to the District Court of Appeal, 3rd Appellate District, State of California, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

NOVEMBER 29, 1947 - ORDERS.

Donald M. Manning,
Petitioner,
311 vs.
The United States of America.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Fifth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

The Chase National Bank of the City of New York, as Trustees, etc., et al.,
Petitioners,
178 vs.
J. Hamilton Cheston, et al.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Seventh Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Opinion by Mr. Justice Rutledge concurring in the action of the Court.

Dissenting: Mr. Justice Frankfurter and Mr. Justice Jackson.

The Chase National Bank of the City of New York, as Trustees, etc., et al.,
Petitioners,
179 vs.
Metropolitan Life Insurance Company.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Seventh Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Opinion by Mr. Justice Rutledge concurring in the action of the Court.

Dissenting: Mr. Justice Frankfurter and Mr. Justice Jackson.

The Chase National Bank of the City of New York, as Trustees, etc., et al., Petitioners,

vs.

Central Hanover Bank and Trust Company, et al., as Trustees, etc.

160

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Seventh Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Opinion by Mr. Justice Rutledge concurring in the action of the Court.

Dissenting: Mr. Justice Frankfurter and Mr. Justice Jackson.

The Chase National Bank of the City of New York, as Trustees, etc., et al., Petitioners,

vs.

The National City Bank of New York, as Trustee, etc.

181

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Seventh Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Opinion by Mr. Justice Rutledge concurring in the action of the Court.

Dissenting: Mr. Justice Frankfurter and Mr. Justice Jackson.

The Chase National Bank of the City of New York, as Trustees, etc., et al., Petitioners,

vs.

John C. Traphagen, et al.

182

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Seventh Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Opinion by Mr. Justice Rutledge concurring in the action of the Court.

The Chase National Bank of the City of New York, as Trustees, etc., et al.,

Petitioners,

183 vs.

James G. Blaine, et al.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Seventh Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Opinion by Mr. Justice Rutledge concurring in the action of the Court.

Dissenting: Mr. Justice Frankfurter and Mr. Justice Jackson.

The Chicago, Rock Island & Pacific Railway Company,

Petitioner,

184 vs.

Metropolitan Life Insurance Company.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Seventh Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Opinion by Mr. Justice Rutledge concurring in the action of the Court.

Dissenting: Mr. Justice Frankfurter and Mr. Justice Jackson.

The Chicago, Rock Island & Pacific Railway Company,

Petitioner,

185 vs.

Central Hanover Bank and Trust Company, et al., as Trustees, etc.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Seventh Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Opinion by Mr. Justice Rutledge concurring in the action of the Court.

The Chicago, Rock Island & Pacific Railway Company,

Petitioner,

186 vs.

The National City Bank of New York, as Trustee, etc.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Seventh Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Opinion by Mr. Justice Rutledge concurring in the action of the Court.

Dissenting: Mr. Justice Frankfurter and Mr. Justice Jackson.

The Chicago, Rock Island & Pacific Railway Company,

Petitioner,

187 vs.

J. Hamilton Cheston, et al.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Seventh Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Opinion by Mr. Justice Rutledge concurring in the action of the Court.

Dissenting: Mr. Justice Frankfurter and Mr. Justice Jackson.

The Chicago, Rock Island & Pacific Railway Company,

Petitioner,

188 vs.

John C. Traphagen, et al.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Seventh Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Opinion by Mr. Justice Rutledge concurring in the action of the Court.

Dissenting: Mr. Justice Frankfurter and Mr. Justice Jackson.

The Chicago, Rock Island & Pacific Railway Company,

Petitioner,

109 vs.

James M. Blaine, et al.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Seventh Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Opinion by Mr. Justice Rutledge concurring in the action of the Court.

Dissenting: Mr. Justice Frankfurter and Mr. Justice Jackson.

Gerald Axelrod, et al., Constituting the Convertible Bondholders Group, etc.,

Petitioners,

190 vs.

Joseph B. Fleming, et al., Trustees, etc., et al.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Seventh Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Opinion by Mr. Justice Rutledge concurring in the action of the Court.

Dissenting: Mr. Justice Frankfurter and Mr. Justice Jackson.

Gerald Axelrod, et al., Constituting the Convertible Bondholders Group, etc.,

Petitioners,

191 vs.

Joseph B. Fleming, et al., Trustees, etc., et al.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Seventh Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Opinion by Mr. Justice Rutledge concurring in the action of the

Gerald Axelrod, et al., Constituting the Convertible Bondholders Group, etc.,

Petitioners,

192 vs.

Joseph B. Fleming, et al., Trustees, etc., et al.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Seventh Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Opinion by Mr. Justice Rutledge concurring in the action of the Court.

Dissenting: Mr. Justice Frankfurter and Mr. Justice Jackson.

Gerald Axelrod, et al., Constituting the Convertible Bondholders Group, etc.,

Petitioners,

193 vs.

Joseph B. Fleming, et al., Trustees, etc., et al.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Seventh Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Opinion by Mr. Justice Rutledge concurring in the action of the Court.

Dissenting: Mr. Justice Frankfurter and Mr. Justice Jackson.

Charles P. Mermans,

Petitioner,

vs.

The United States of America.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Sixth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Murphy and Mr. Justice Rutledge took no part in the consideration or decision of this application.

MONDAY, OCTOBER 21, 1946 - ORDERS.

The Brown Instrument Company,

Petitioner,

304 vs.

Sam B. Warner, Register of Copyrights.

ON CONSIDERATION of the motion for leave to file brief of Bailey-Brost Co., as amicus curiae in this case,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, granted.

Per Mr. Chief Justice Vinson.

The Brown Instrument Company,

Petitioner,

304 vs.

Sam B. Warner, Register of Copyrights.

On petition for writ of certiorari to the United States Court of Appeals for the District of Columbia.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the District of Columbia, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Refrigeration Patents Corporation,

Petitioner,

1273 O.T. '46 vs.

Stewart-Warner Corporation; and

Potter Refrigerator Corporation,

Petitioner,

1274 O.T. '46 vs.

Stewart-Warner Corporation.

A petition for rehearing having been filed in these cases,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Protective Committee for Bonds of Old Colony Railroad Company,

Petitioner,

1308 O.T. '46 vs.

New York, New Haven & Hartford Railroad Company, Debtor, et al.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Ben F. Hopkins,

Petitioner,

1296 O.T. '46 vs.

Commissioner of Internal Revenue.

ON CONSIDERATION of the petition for rehearing and motion for leave to file a supplemental petition for rehearing in this case,

IT IS ORDERED by this Court that the motion for leave to file a supplemental petition for rehearing be, and the same is hereby, granted; and that the petition for rehearing be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Burton took no part in the consideration or decision of these applications.

Louis N. Christakos,

Petitioner,

27, Misc. vs.

Walter A. Hunter, Warden.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Tenth Circuit.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

William Conklin, Petitioner, vs. Michael J. Pescor, Warden. — On petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit. 78, Misc.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Manning Strowl, Petitioner, vs. The United States of America. — On petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit. 89, Misc.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Arthur Robinson, Petitioner, vs. Joseph E. Ragen, Warden. — On petition for writ of certiorari to the Circuit Court of Will County, State of Illinois. 100, Misc.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Anton E. Golia,

Petitioner,

vs.

[illegible], Warden.

On petition for writ of certiorari to the Supreme Court of the State of Wisconsin.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Donald Hugh Lilyroth,

Petitioner,

vs.

[illegible], Warden.

On petition for writ of certiorari to the Circuit Court of Lee County, State of Illinois.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Joseph Conway,

Petitioner,

vs.

Joseph H. Ragen, Warden.

On petition for writ of certiorari to the Circuit Court of Will County, State of Illinois.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Harry Meyers,
Petitioner,
108, Misc. vs.
Joseph E. Ragen, Warden.

On petition for writ of certiorari to the Circuit Court of Will County, State of Illinois.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Allen Stewart,
Petitioner,
110, Misc. vs.
Joseph E. Ragen, Warden.

On petition for writ of certiorari to the Circuit Court of Will County, State of Illinois.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Van L. Gunn,
Petitioner,
114, Misc. vs.
State of Tennessee.

On petition for writ of certiorari to the Supreme Court of the State of Tennessee.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

[illegible], Petitioner, vs. [illegible], Warden. — On petition for writ of certiorari to the Circuit Court of Rock Island County, State of Illinois.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

James Thomas Gash, Petitioner, vs. People of the State of Illinois. — On petition for writ of certiorari to the Supreme Court of the State of Illinois.

122, Misc.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

John Dwyer, Petitioner, vs. People of the State of Illinois. — On petition for writ of certiorari to the Supreme Court of the State of Illinois.

123, Misc.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Ray Swartwright,
Petitioner,
125, Misc. vs.
Joseph E. Ragen, Warden.

On petition for writ of certiorari to the Supreme Court of the State of Illinois.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

William Buchalter,
Petitioner,
126, Misc. vs.
Joseph E. Ragen, Warden.

On petition for writ of certiorari to the Supreme Court of the State of Illinois.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

John Cordts,
Petitioner,
128, Misc. vs.
People of the State of Illinois.

On petition for writ of certiorari to the Supreme Court of the State of Illinois.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Walter Engle,

Petitioner,

117, Misc. vs.

Ben B. Stewart, Warden.

On petition for writ of certiorari to the Supreme Court of the State of Missouri.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

John J. Lannahan,

Petitioner,

121, Misc. vs.

Ralph M. Benson, Warden.

On petition for writ of certiorari to the Supreme Court of the State of Michigan.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Gerald F. Bates,

Petitioner,

113, Misc. vs.

People of the State of New York.

ON CONSIDERATION of the application for the allowance of an appeal herein,

IT IS [illegible] by this Court that the said application be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Andrew Vialva,

Petitioner,

127, Misc. vs.

Francis C. Shaw, Director.

ON CONSIDERATION of the motion for leave to file a petition for writ of habeas corpus herein,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Erhard Milch,

Petitioner,

50, Misc. vs.

The United States of America.

ON CONSIDERATION of the motion for leave to file a petition for writ of habeas corpus herein,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Black, Mr. Justice Douglas, Mr. Justice Murphy, and Mr. Justice Rutledge are of the opinion that the petition should be set for hearing on the question of the jurisdiction of this Court.

Mr. Justice Jackson took no part in the consideration or decision of this application.

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The Court will take a recess from Monday, October 27, until Monday, November 10, next.

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Federal Trade Commission,

Petitioner,

vs.

The Cement Institute, et al.;

Federal Trade Commission,

Petitioner,

vs.

Aetna Portland Cement Company, et al.;

[illegible],

Petitioner,

vs.

Marquette Cement Manufacturing Company;

Federal Trade Commission,

Petitioner,

vs.

Alsavaras Cement Company, et al.;

Federal Trade Commission,

Petitioner,

vs.

Huron Portland Cement Company;

Federal Trade Commission,

Petitioner,

vs.

Superior Portland Cement, Inc.;

Federal Trade Commission,

Petitioner,

vs.

Northwestern Portland Cement Company;

Federal Trade Commission,

Petitioner,

30 vs.

Riverside Cement Company;

Federal Trade Commission,

Petitioner,

31 vs.

Universal Atlas Cement Company;

Federal Trade Commission,

Petitioner,

32 vs.

California Portland Cement Company;

Federal Trade Commission,

Petitioner,

33 vs.

Monolith Portland Cement Company, et al.; and

Federal Trade Commission,

Petitioner,

34 vs.

Blaine S. Smith, et al.

Argument commenced by Mr. Charles H. Weston for the petitioner; continued by Mr. Walter B. Wooden for the petitioner; by Mr. William J. Donovan for the respondents in Nos. 23, 24, and 34; and by Mr. Nathan L. [illegible] for the respondent in No. 31.

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Proclamation being made the Court is adjourned until [illegible]

Pursuant to adjournment the Court met at the Supreme Court Building.

Present:

The Honorable Fred M. Vinson, Chief Justice,
Hugo L. Black,
Stanley Reed,
Felix Frankfurter,
William O. Douglas,
Frank Murphy,
Robert H. Jackson,
Wiley Rutledge,
Harold H. Burton. Associate Justices.

Thomas Ennalls Waggaman, Esquire, Marshal,

Charles Elmore Cropley, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. William S. Bennet, It is ordered that John W. King, Esquire, of New York, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Henry P. Chandler, It is ordered that Philip R. Davis, Esquire, of Chicago, State of Illinois; William E. Lane, Esquire, of Chicago, State of Illinois; and Franklin Cooller, Esquire, of New Haven, State of Connecticut, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. John D. Bonner, It is ordered that B. Jay Owen, Esquire, of Tallahassee, State of Florida, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Henry Hamill Fowler, It is ordered that S. Frank Fowler, Esquire, of Knoxville, State of Tennessee, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Dwight D. Taylor, It is ordered that Roy J. Waychoff, Esquire, of Waynesburg, Commonwealth of Pennsylvania, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

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Federal Trade Commission,

Petitioner,

23 vs.

The Cement Institute, et al.;

Federal Trade Commission,

Petitioner,

24 vs.

Aetna Portland Cement Company, et al.;

Federal Trade Commission,

Petitioner,

25 vs.

Marquette Cement Manufacturing Company;

Federal Trade Commission,

Petitioner,

26 vs.

Calavaras Cement Company, et al.;

Federal Trade Commission,

Petitioner,

27 vs.

Huron Portland Cement Company;

Federal Trade Commission,

Petitioner,

28 vs.

Superior Portland Cement, Inc.;

Federal Trade Commission,

Petitioner,

29 vs.

Northwestern Portland Cement Company;

Federal Trade Commission,

Petitioner,

30 vs.

Riverside Cement Company;

Federal Trade Commission,

Petitioner,

31 vs.

Universal Atlas Cement Company;

Federal Trade Commission,

Petitioner,

32 vs.

California Portland Cement Company;

Federal Trade Commission,

Petitioner,

33 vs.

Monolith Portland Cement Company, et al.; and

Federal Trade Commission,

Petitioner,

34 vs.

Blaine S. Smith, et al.

Argument continued by Mr. Nathan L. Miller for the respondent in No. 31; by Mr. Edward A. Zimmerman for the respondent in No. 25; by Mr. Charles Wright, Jr., for the respondent in No. 27; by Mr. Herbert W. Clark for the respondents in Nos. 26 and 24; by Mr. Pierce Works for the respondent in No. 30; by Mr. Alex W. Davis for the respondent in No. 32; by Mr. Herbert S. Little for the respondent in No. 28; by Mr. J. Harold Shefyman for the respondent in No. 29, and concluded by Mr. Charles H. Weston for the petitioner. No appearance for the respondent in No. 33.

[illegible], October 8, 1951.

Pursuant to adjournment the Court met at the Supreme Court Building.

PRESENT:

The Honorable Fred M. Vinson, Chief Justice,

[illegible],

[illegible],

[illegible],

[illegible],

[illegible], Associate Justices.

[illegible],

[illegible],

[illegible],

Harold H. Burton.

Thomas Ennalls Waggaman, Esquire, Marshal,

Charles Elmore Cropley, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. J. Milner Latimer, It is ordered that Richard L. North, Esquire, of Los Angeles, State of California, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. P. Gerald Toye, It is ordered that Paul G. Sadona, Esquire, of Schenectady, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. A. L. Wirin, It is ordered that Fred Okrand, Esquire, of Los Angeles, State of California, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. John Austin Latimer, It is ordered that William K. Smoak, Jr., Esquire, of Aiken, State of South Carolina, and Marion H. Smoak, Esquire, of Aiken, State of South Carolina, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. John Franklin Fort, It is ordered that Frederick Fish, Esquire, of New York, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

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Fred Y. Oyama and Kajiro Oyama,

Petitioners,

vs.

State of California.

Argued by Mr. A. L. Wirin and Mr. Dean G. Acheson for the petitioners, and by Mr. Everett W. Mattoon and Mr. Duane J. Carnes for the respondent.

Jose Audon Salazar Delgadillo,

Petitioner,

vs.

Albert Del Guercio, District Director,
Immigration and Naturalization Service,
United States Department of Justice,
District No. 16.

Argued by Mr. Fred Okrand for the petitioner, and by Mr. Robert W. Kenny for the respondent.

Al Williams and Al Williams Health System
of Los Angeles, Inc.,

Petitioners,

vs.

Michael J. Fanning, Individually and as
Postmaster of the City of Los Angeles,
California.

Argued by Mr. Richard L. North for the petitioners, and by Mr. Frederick Bernays Wiener for the respondent.

Proclamation being made the Court is adjourned until tomorrow at 12 o'clock.

THURSDAY, OCTOBER 23, 1944.

Pursuant to adjournment the Court met at the Supreme Court Building.

PRESENT:

The Honorable Fred M. Vinson, Chief Justice,
Hugo L. Black,
Stanley Reed,
Felix Frankfurter,
William O. Douglas,
Frank Murphy,
Robert H. Jackson,
Wiley Rutledge,
Harold H. Burton,
Associate Justices.

Thomas Shelton Waterman, Esquire, Marshal,
Charles Elmore Cropley, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Mac Asbill, It is ordered that John W. Burke, Jr., Esquire, of New York, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Eugene Worley, It is ordered that Sterling E. Kinney, Esquire, of Amarillo, State of Texas, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Robert A. Quirk, It is ordered that G. R. Scheib, Esquire, of Chicago, State of Illinois, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Frederick Bernays Wiener, It is ordered that Everett Broadstone Laybourne, Esquire, of Los Angeles, State of California, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mrs. Carolyn Royall Just, It is ordered that Ellen M. Janousek, of Chicago, State of Illinois, and Howard F. Janousek, Esquire, of Chicago, State of Illinois, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly. (Mrs.)

On motion first made to the Court in this behalf by Mr. Herbert A. Friedlich, It is ordered that Joseph M. Weil, Esquire, of Chicago, State of Illinois, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. James C. Rogers, It is ordered that Kathleen M. Berry, of San Francisco, State of California, be admitted to practice as an Attorney and Counsellor of this Court, and she was sworn accordingly. (Miss)

On motion first made to the Court in this behalf by Mr. Donald Macleay, It is ordered that Harold Taft King, Esquire, of Denver, State of Colorado, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Menahem Stim, It is ordered that Bernard Tomson, Esquire, of New York, State of New York, and Michael C. Bernstein, Esquire, of New York, State of New York, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Allen J. [illegible], It is ordered that [illegible], Esquire, of Washington, District of Columbia, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

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Harry Blumenthal,

Petitioner,

54 vs.

The United States of America;

Lawrence B. Goldsmith,

Petitioner,

55 vs.

The United States of America;

Samuel S. Weiss,

Petitioner,

56 vs.

The United States of America; and

Albert Feigenbaum,

Petitioner,

57 vs.

The United States of America.

Argued by Mr. Arthur B. Dunne for the petitioners in Nos. 54, 55, and 57; by Mr. Samuel W. Weiss, pro se, in No. 56; and by Miss Beatrice Rosenberg for the respondent.

William Shapiro,

Petitioner,

49 vs.

The United States of America.

Argued by Bernard Tomson for the petitioner and by Mr. Solicitor General Perlman for the respondent.

The United States of America,

Appellant,

97 vs.

James Hoffman.

Argued by Mr. Solicitor General Perlman for the appellant and Mr. Bernard Margolius for the appellee.

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Pursuant to adjournment the Court met at the Supreme Court Building.

PRESENT:

The Honorable Fred M. Vinson, Chief Justice,
Hugo L. Black,
Stanley Reed,
Felix Frankfurter,
William O. Douglas,
Frank Murphy,
Robert H. Jackson,
Wiley Rutledge,
Harold H. Burton,
Associate Justices.

Thomas Ennalls Waggaman, Esquire, Marshal,

Charles Elmore Cropley, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Everett W. Mattoon, It is ordered that Henry I. Dockweiler, Esquire, of Los Angeles, State of California, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Seth W. Richardson, It is ordered that Stanley Morton Doyle, Esquire, of Polson, State of Montana, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. John H. Connaughton, It is ordered that C. Austin East, Esquire, of Bloomington, State of Indiana, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Martin W. Meyer, It is ordered that Sidney Pepper, Esquire, of New York, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Robert L. Stern, It is ordered that Wallace M. Cohen, Esquire, of Washington, District of Columbia, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Charles R. Johnston, It is ordered that John Charles Frey, Esquire, of Dallas, State of Texas, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. William W. Owens, It is ordered that Loren C. Berry, Esquire, of New York, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. David Schwartz, It is ordered that James L. Morrisson, Esquire, of Groton, State of Connecticut, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

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Robert E. Hannegan, Individually and
as Postmaster General of The United States,

Petitioner,

50 vs.

Read Magazine, Inc., et al.

Argued by Mr. Robert L. Stern for the petitioner and by Mr. James W. Burke, Jr., for the respondents.

Estate of Sidney M. Spiegel, Deceased,
Katherine J. Spiegel, et al., Survivors
Executors, etc.,

Petitioners,

52 vs.

Commissioner of Internal Revenue.

Argued by Mr. Herbert A. Friedlich for the petitioners and by Mr. Arnold Raum for the respondent.

r of Internal Revenue,

Petitioner,

vs.

, Deceased,
, Executor.

Argued by Mr. Arnold Raum for the petitioner and by Mr. William W.
for the respondent.

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Proclamation being made the Court is adjourned until Monday, October 27, next, at 12 o'clock.

[illegible]

Pursuant to adjournment the Court met at the Supreme Court Building.

PRESENT:

The Honorable Fred M. Vinson, Chief Justice,
Hugo L. Black,
[illegible],
[illegible],
[illegible],
Associate Justices.
[illegible],
[illegible],
[illegible],
Harold H. [illegible].

Thomas Emmalis Waggaman, Esquire, Marshal,
Charles Elmore Cropley, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Harry L. Barger, It is ordered that Harris H. Huston, Esquire, of Dayton, State of Ohio, and James S. Jenkins, Esquire, of Dayton, State of Ohio, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Ray R. Murdock, It is ordered that Stuart P. Dobbs, Esquire, of Ogden, State of Utah, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. John L. Ingoldsby, Jr., It is ordered that Matthew Berman, Esquire, of Chicago, State of Illinois, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

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The Chief Justice announced the following order of the Court:

[illegible] Transportation Company, Inc., [illegible],

Appellant,

376 vs.

The United States of America and Interstate Commerce Commission.

Appeal from the District Court of the United States for the Southern District of Indiana.

THIS CAUSE came on to be heard on the transcript of the record from the District Court of the United States for the Southern District of Indiana, and on motion to affirm, which was duly submitted.

[illegible], it is ordered by this Court that the motion to affirm the decree of the District Court herein be, and the same is hereby, granted.

IT IS FURTHER ordered, adjudged, and decreed by this Court that the decree of the said District Court in this cause be, and the same is hereby, affirmed.

Per Mr. Chief Justice Vinson.

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The Chief Justice also announced the entry of an order and decree in No. 12, Original.

United States of America,

Plaintiff,

12, Original : vs.

State of California.

ORDER AND DECREE.

(October 27, 1947.)

Since the opinion [illegible] announced in this case June 23, 1947, two stipulations have been filed in this Court, signed by the Attorney General and Secretary of the Interior of the United States on the one hand and by the Attorney General of the State of California on the other hand. In these stipulations the Attorney General and the Secretary of the Interior purport to renounce and disclaim for the United States Government paramount governmental power over certain particularly described submerged lands in the California coastal area. In such stipulations the United States Attorney

General and Secretary of the Interior furthermore purport to bind the United States to agreements which purport to authorize state lessees of California coastal submerged lands to continue to occupy and exploit those lands, and which agreements also purport to authorize California under conditions set out to execute leases for other submerged coastal lands.

Robert E. Lee Jordan has filed a petition in this Court praying that he be permitted to file a motion as amicus curiae or in the alternative as an intervenor to have the foregoing stipulations and agreements set aside and declared null and void on the ground among others that the Attorney General and the Secretary of the Interior are without authority to bind the United States by agreements which it is alleged would if valid alienate and surrender the Government's paramount power over the submerged lands concerning which the stipulations are made.

It is ordered that the petition of Robert E. Lee Jordan to file the motion here to declare the stipulations null and void be denied, without prejudice to the assertion of any right he may have in a proper district court.

It is further ordered that the stipulations between the United States Attorney General and the Secretary of the Interior on the one hand and the Attorney General of California on the other, which stipulations purport to bind the United States, be stricken as irrelevant to any issues now before us.

And for the purpose of carrying into effect the conclusions of this Court as stated in its opinion announced June 23, 1947, it is ORDERED, ADJUDGED, AND DECREED as follows:

1. The United States of America is now, and has been at all times pertinent hereto, possessed of paramount rights in, and full dominion and power over, the lands, minerals and other things underlying the Pacific Ocean lying seaward of the ordinary low-water mark on the coast of California, and outside of the inland waters, extending seaward three nautical miles and bounded on the north and south, respectively, by the northern and southern boundaries of the State of California. The State of California has no title thereto or property interest therein.

2. The United States is entitled to the injunctive relief prayed for in the complaint.

3. Jurisdiction is reserved by this Court to enter such further orders and to issue such writs as may from time to time be deemed advisable or necessary to give full force and effect to this decree.

Inasmuch as the stipulations of July 26, 1947, have been stricken, Mr. Justice Frankfurter desires explicitly to note his understanding that insofar as the meaning or scope or validity of the stipulations may give rise to any legal issue, no such issue has been before the Court or has here been considered.

Mr. Justice Jackson took no part in the consideration or decision of this case.

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The Chief Justice said:

"The other orders of the Court appear upon the list certified by the Chief Justice and filed with the Clerk and will not be announced orally."

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The United States of America,

Complainant,

12, Original vs.

The State of California.

ON CONSIDERATION of the motion of Lauren D. Cherry and Earl G. [illegible] for leave to file a motion to strike a portion of a stipulation entered into between the Attorney General of the United States and the Attorney General of California in this case,

IT IS ORDERED by this Court that the said motion be, and the same is hereby denied, without prejudice to the assertion of any right they may have in a proper district court.

Per Mr. Chief Justice Vinson.

Inasmuch as the stipulations of July 26, 1947, have been stricken, Mr. Justice Frankfurter desires explicitly to note his understanding that

insofar as the meaning or scope or validity of the stipulations may give rise to any legal issue, no such issue has been before the Court or has here been considered.

Mr. Justice Jackson took no part in the consideration or decision of this application.

The United States of America,

Petitioner,

12, Original vs.

The State of California.

ON CONSIDERATION of the motion of Norman L. Littell for leave to file a brief as amicus curiae in this case,

IT IS ORDERED by this Court that the said motion for leave to file be treated as a brief amicus curiae and that leave to file such brief be granted.

Per Mr. Chief Justice Vinson.

Mr. Justice Jackson took no part in the consideration or decision of this application.

Jose Audon Salazar Delgadillo,

Petitioner,

63 vs.

Albert Del Guercio, District Director,
Immigration and Naturalization Service,
etc.

ON CONSIDERATION of the motion of the Solicitor General to substitute William A. Carmichael, present District Director, Immigration and Naturalization Service, United States Department of Justice, District No. 18, as the party respondent herein in place of Albert Del Guercio,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, granted and that the cause be so continued and maintained.

Per Mr. Chief Justice Vinson.

...b-Lo Excursion Company,

Appellant,

vs.

...ople of the State of Michigan.

The statement of jurisdiction in this case having been submitted and considered by the Court, probable jurisdiction is noted.

Per Mr. Chief Justice Vinson.

Seaboard Air Line Railroad Company,

Appellant,

vs.

John M. Daniel, as Attorney General of the State of South Carolina, et al.

The statement of jurisdiction in this case having been submitted and considered by the Court, probable jurisdiction is noted.

Per Mr. Chief Justice Vinson.

Rudy M. Callen,

Petitioner,

331 vs.

Pennsylvania Railroad Company.

...of the motion for leave to file brief of United ... of America as amicus curiae in this case,

It is ... by this Court that the said motion be, and the same is hereby, granted.

Per Mr. Chief Justice Vinson.

Rudy M. Callen,

Petitioner,

331 vs.

Pennsylvania Railroad Company.

Order allowing certiorari.

The petition herein for a writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit is granted, and the case is transferred to the summary docket.

And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

Anne Johnson,

Petitioner,

329 vs.

The United States of America.

Order allowing certiorari.

The petition herein for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit is granted, limited to questions 1 and 2 presented by the petition for the writ.

And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

Irwin Steingut, et al., as Receivers of the Assets in New York of Russo-Asiatic Bank,

Petitioners,

245 vs.

Guaranty Trust Company of New York, et al.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Second Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

James A. Tillman,

Petitioner,

247 vs.

Jesse C. Millard, et al.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Second Circuit, it is ordered by this Court that the said petition be, and the same is hereby

Tom C. Clark, Attorney General, as Successor to the Alien Property Custodian,

Petitioner,

vs.

[illegible] al., as Trustees [illegible] and Testament of [illegible], Deceased.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

[illegible] CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Second Circuit, it is ordered by this Court that the said petition be, and the same is hereby, [illegible].

Per Mr. Chief Justice Vinson.

Johanna M. Kind, et al., as Trustees Under the Last Will and Testament of Herman Kind, Deceased,

Petitioners,

526 vs.

Tom C. Clark, Attorney General, as Successor to the Alien Property Custodian.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Second Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

The May Department Stores Company, Doing Business as Famous-Barr Company,

Petitioner,

316 vs.

National Labor Relations Board.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Eighth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Nick Dolis,
Petitioner,
317 vs.
George P. Pappas, et al., Doing Business under the Fictitious Name of Pappas & Co.

On petition for writ of certiorari to the District Court of Appeal, 4th Appellate District, State of California.

ON CONSIDERATION of the petition for a writ of certiorari herein to the District Court of Appeal, 4th Appellate District, State of California, It is ordered by this Court that the said petition be, and the same is hereby, denied.

[illegible] Mr. Chief Justice Vinson.

Mishawaka Rubber and Woolen Manufacturing Company,
Petitioner,
318 vs.
S. S. [illegible] Company.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Sixth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Alex Steinberg,
Petitioner,
319 vs.
The United States of America.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Fifth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Adamston Flat Glass Company, Petitioner, vs. Commissioner of Internal Revenue. 328 — On petition for writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Fourth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

John P. Hooker, Petitioner, vs. New York Life Insurance Company. 330 — On petition for writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Seventh Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

The Coca-Cola Company, Petitioner, vs. Snow Crest Beverages, Inc. 332 — On petition for writ of certiorari to the United States Circuit Court of Appeals for the First Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the First Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Eric Von Patzoll,
Petitioner,
333 vs.
The United States of America.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Tenth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Tenth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Doe Garland Brandon,
Petitioner,
334 vs.
The United States of America.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Tenth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Tenth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Gene Luther Roozell,
Petitioner,
335 vs.
The United States of America.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Tenth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Tenth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

[illegible],

Petitioner,

vs.

[illegible] United States of America.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Tenth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Tenth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

The Knott Corporation,

Petitioner,

339 vs.

Mary Dale Furman.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Fourth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

John G. Scherf, George M. Barnes and Ada B. Barnes,

Petitioners,

341 vs.

Commissioner of Internal Revenue.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Fifth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

MONDAY, OCTOBER 27, 1941 - ORDERS.

P. L. Mendez & Company, Petitioner,
344 vs.
General Motors Corporation.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Seventh Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Garford Trucking Corporation, et al., Petitioners,
345 vs.
Joseph Mann.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the First Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the First Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

General Motors Acceptance Corporation, Petitioner,
347 vs.
Joseph T. Higgins, Collector of Internal Revenue for the Third District of New York.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Second Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Nathan Bloomberg,

Petitioner,

vs.

On petition for writ of certiorari to the Court of Errors and Appeals of the State of New Jersey.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Court of Errors and Appeals of the State of New Jersey, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Walter P. Gardner, Trustee of The Central Railway Company of New Jersey,

Petitioner,

vs.

The State of New Jersey.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Third Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

William Dudley Pelley,

Petitioner,

vs.

E. Bruce Matthews, United States Marshal.

On petition for writ of certiorari to the United States Court of Appeals for the District of Columbia.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the District of Columbia, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Margaret Weisenbach, Individually and as Executrix of the Will of Anna Hatt, Deceased,

Petitioner,

354 vs.

John R. Kistner, as Ancillary Administrator with the Will Annexed of the Estate of Anna Hatt, Deceased, and Anna Latham.

On petition for writ of certiorari to the Supreme Court of the State of Ohio.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of Ohio, It is ordered by this Court that the said petition be, and the same is hereby, denied.

For Mr. Chief Justice Vinson.

Margaret Weisenbach, Individually and as Executrix of the Will of Anna Hatt, Deceased,

Petitioner,

355 vs.

John R. Kistner, as Ancillary Administrator with the Will Annexed of the Estate of Anna Hatt, Deceased, and Anna Latham.

On petition for writ of certiorari to the Supreme Court of the State of Ohio.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of Ohio, It is ordered by this Court that the said petition be, and the same is hereby, denied.

For Mr. Chief Justice Vinson.

Jake Hinley,

Petitioner,

312 vs.

C. P. Burford, Warden, Oklahoma State Penitentiary.

ON CONSIDERATION of the motion to dispense with the printing of the petition and record in this case,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, granted.

For Mr. Chief Justice Vinson.

Jake Hinley,

Petitioner,

312 vs.

C. P. Burford, Warden, Oklahoma State [illegible].

On petition for writ of certiorari to the Supreme Court of the State of Oklahoma.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of Oklahoma, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Walter Borchers,

Petitioner,

322 vs.

The United States of America.

ON CONSIDERATION of the motion to dispense with the printing of the petition and record in this case,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, granted.

Per Mr. Chief Justice Vinson.

Walter Borchers,

Petitioner,

322 vs.

The United States of America.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Second Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Otto Fentzke,

Petitioner,

323 vs.

The United States of America.

ON CONSIDERATION of the motion to dispense with the printing of the petition and record in this case,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, granted.

Per Mr. Chief Justice Vinson.

Otto Fentzke, Petitioner, 323 vs. The United States of America.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Second Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Bruno C. Knupfer,

Petitioner,

324 vs.

The United States of America.

ON CONSIDERATION of the motion to dispense with the printing of the petition and record in this case,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, granted.

Per Mr. Chief Justice Vinson.

Bruno C. Knupfer,

Petitioner,

vs.

United States of America.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

124

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Second Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Watchtower Bible and Tract Society, Inc.,

Petitioner,

vs.

County of Los Angeles, California, et al.

On petition for writ of certiorari to the Supreme Court of the State of California.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of California, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Murphy is of the opinion that the petition should be granted.

James Russell Hawthorne,

Petitioner,

vs.

Joseph W. Sanford, Warden, United States Penitentiary, Atlanta, Georgia.

104

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Otto H. Kruger,

Petitioner,

200 vs.

Ned Whitehead, Doing Business Under the Fictitious Name of Whitehead Co.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Philip Milton Koritz, Cal Roberson Jones, et al.,

Petitioners,

234 vs.

State of North Carolina.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by said Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Richard Anderson Lowe,

Petitioner,

22, Misc. vs.

The United States of America.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Henry Lustig, E. Allen Lustig, and Joseph Sobel,

Petitioners,

279 vs.

The United States of America.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Justice Black.

The Chief Justice took no part in the consideration or decision of [illegible].

William Chavis, alias Wilburn Chambers, Petitioner,

115, Misc. vs.

Commonwealth of Pennsylvania.

On petition for writ of certiorari to the Supreme Court of the Commonwealth of Pennsylvania.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Clarence Bertrand, Petitioner,

129, Misc. vs.

Joseph E. Ragen, Warden.

On petition for writ of certiorari to the Circuit Court of Kankakee County, State of Illinois.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

L. C. Tidmore,

Petitioner,

130, Misc. vs.

Joseph E. Ragen, Warden.

On petition for writ of certiorari to the Circuit Court of Will County and Supreme Court, State of Illinois.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

John M. Holzworth,

Petitioner,

105, Misc. vs.

Donald Clemmer, Director, Department of Corrections, District of Columbia.

ON CONSIDERATION of the motion for leave to file a petition for writ of habeas corpus herein,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mary A. Ruthven,

Petitioner,

112, Misc. vs.

Dr. Winfred Overholser, Superintendent.

ON CONSIDERATION of the motion for leave to file a petition for writ of habeas corpus herein,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Joseph Hobbs,

Petitioner,

116, Misc. vs.

Edwin T. Swenson, Warden.

ON CONSIDERATION of the motion for leave to file a petition for writ of habeas corpus herein,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Fred Wilson,

Petitioner,

120, Misc. vs.

Joseph E. Ragen, Warden.

ON CONSIDERATION of the motion for leave to file a petition for writ of habeas corpus herein,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

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The United States of America,

Petitioner,

98 vs.

Philip Fried, George Neary, et al.

On writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

IT APPEARING to the Court that the Solicitor General of the United States has filed a motion to dismiss the writ of certiorari in this case,

THEREFORE, pursuant to said motion, it is ordered by this Court that the writ of certiorari in this case be, and the same is hereby, dismissed; and that this case be, and the same is hereby, remanded to the said Circuit Court of Appeals.

Per Mr. Chief Justice Vinson.

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Proclamation being made the Court is adjourned until Monday, November 10, next, at 12 o'clock.

THURSDAY, OCTOBER 30, 1947.

The Court met in Special Term pursuant to a call by the Chief Justice having the approval of all the Associate Justices present.

PRESENT:

The Honorable Fred M. Vinson, Chief Justice,
Hugo L. Black,
Stanley Reed,
Felix Frankfurter,
Frank Murphy,
Robert H. Jackson,
Wiley Rutledge,
Harold H. Burton. Associate Justices.

Thomas Ennalls Waggaman, Esquire, Marshal,

Charles Elmore Cropley, Clerk.

The Court enters the following order:

Alfred L. Hawkins,

Petitioner,

156, Misc.
Special Term

vs.

Donald Clemmer, Director, Department of Corrections of the District of Columbia.

ON CONSIDERATION of the motion for leave to file a petition for writ of habeas corpus in the above entitled cause, petition for writ of habeas corpus, and motion for stay of execution of the sentence of death,

IT IS ORDERED by this Court that the motion for leave to file petition for writ of habeas corpus be granted; that the petition for writ of habeas corpus be denied; and that the motion for stay of execution of the sentence of death be denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration of this order.

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Proclamation being made the Court is adjourned until Monday, November 10

Pursuant to adjournment the Court met at the Supreme Court Building.

PRESENT:

The Honorable Fred M. Vinson, Chief Justice,
Hugo L. Black,
Stanley Reed,
Felix Frankfurter,
William O. Douglas,
Frank Murphy,
Robert H. Jackson,
Wiley Rutledge,
Harold H. Burton,
Associate Justices.

Thomas Ennalls Waggaman, Esquire, Marshal,

Charles Elmore Cropley, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Arthur B. Hanson, It is ordered that Leonard A. Diether, Esquire, of Los Angeles, State of California, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Harry P. Warner, It is ordered that Leon W. Delbridge, Esquire, of Pasadena, State of California, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Arthur N. Seiff, It is ordered that Benjamin E. Winston, Esquire, of New York, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. William H. Thomas, It is ordered that Robert F. Brydle, Esquire, of Cleveland, State of Ohio, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Charles Sylvanus Rhyne, It is ordered that Thomas F. Healy, Esquire, of Washington, District of Columbia; James O'Donnell, Jr., Esquire, of Washington, District of Columbia; and Nathaniel H. Goldstick, Esquire, of Detroit, State of Michigan, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Robert Stuart Erdahl, It is ordered that William F. Martin, Esquire, of New York, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. B. Carroll Reece, It is ordered that Clarence W. Bralley, Esquire, of Johnson City, State of Tennessee, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Jeter Seehorn Ray, It is ordered that John Frank Bryant, Esquire, of Johnson City, State of Tennessee, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Frederick Bernays Wiener, It is ordered that J. W. Hassell, Esquire, of Dallas, State of Texas, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Clarence E. Dawson, It is ordered that Alcide J. Fournier, Esquire, of Short Hills, State of New Jersey, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

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International Salt Company, Incorporated, Appellant, vs. The United States of America. — Appeal from the District Court of the United States for the Southern District of New York.

46

THIS CAUSE came on to be heard on the transcript of the record from the District Court of the United States for the Southern District of New York, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is ordered, adjudged, and decreed by this Court that the decree of the said District Court in this cause be, and the same is hereby, affirmed but without prejudice to appellant applying to the District Court for modification of the decree.

Per Mr. Justice Jackson.

Opinion by Mr. Justice Frankfurter dissenting in part in which Mr. Justice Reed and Mr. Justice Burton join.

Jose Audon Salazar Delgadillo, Petitioner, vs. William A. Carmichael, District Director, Immigration and Naturalization Service, United States Department of Justice, District No. 16. — On writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit.

63

THIS CAUSE came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Ninth Circuit, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is ordered and adjudged by this Court that the judgment of the said United States Circuit Court of Appeals, in this cause, be, and the same is hereby, reversed; and that this cause be, and the same is hereby, remanded to the District Court of the United States for the Southern District of California for further proceedings in conformity with the opinion of this Court.

Per Mr. Justice Douglas.

The Federal Crop Insurance Corporation, Petitioner, vs. A. A. Merrill and N. D. Merrill, Co-partners, Doing Business Under the Firm Name and Style of Merrill Bros.

45 On writ of certiorari to the Supreme Court of the State of Idaho.

THIS CAUSE came on to be heard on the transcript of the record from the Supreme Court of the State of Idaho, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is ordered and adjudged by this Court that the judgment of the said Supreme Court, in this cause, be, and the same is hereby, reversed with costs; and that this cause, be, and the same is hereby, remanded to the said Supreme Court for further proceedings not inconsistent with the opinion of this Court.

Per Mr. Justice Frankfurter.

Dissenting: Mr. Justice Black and Mr. Justice Rutledge.

Dissenting opinion by Mr. Justice Jackson in which Mr. Justice Douglas joins.

W. Clay Rodgers, Petitioner, vs. The United States of America.

58 On writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit.

THIS CAUSE came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Sixth Circuit, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is ordered and adjudged by this Court that the judgment of the said United States Circuit Court of Appeals, in this cause, be, and the same is hereby, reversed; and that this cause be, and the same is hereby, remanded to the District Court of the United States for the Western District of Tennessee for proceedings in conformity with the opinion of this Court.

Per Mr. Justice Black.

Dissenting opinion by Mr. Justice Burton in which Mr. Justice Rutledge joins.

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The Chief Justice said:

"The orders of the Court appear upon the list certified by the Chief Justice and filed with the Clerk and will not be announced orally."

Ford Motor Company,

Appellant,

11 vs.

The United States of America; and

Commercial Investment Trust Corporation,

Appellants,

12 vs.

The United States of America.

ON CONSIDERATION of the motion of appellants to pass these cases to a session of the Court commencing in April of the present term,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, granted.

Per Mr. Chief Justice Vinson.

Mr. Justice Jackson took no part in the consideration or decision of this application.

Donald Wade,

Petitioner,

40 vs.

Nathan Mayo, as State Prison Custodian, of the State of Florida.

This case is ordered restored to the docket for reargument and is assigned for hearing immediately following No. 398. Counsel are requested to discuss in brief and argument (1) the propriety of the exercise of jurisdiction by the District Court in this case when it appears of record, in the state's motion for dismissal of the appeal on habeas corpus, that petitioner had not availed himself of the remedy of appeal from his conviction, apparently open after trial though now barred by limitation. See generally Mooney v. Holohan, 294 U. S. 103; Johnson v. Zerbst, 304 U. S. 458; Ex parte Hawk, 321 U. S. 114, 116; White v. Ragen, 324 U. S. 760, 764; Hawk v. Olson, 326 U. S. 271; (2) Whether the failure of Florida to make this objection in

this proceeding affects the above problem.

Per Mr. Chief Justice Vinson.

People of the State of Illinois, ex rel.
Vashti McCollum,

Appellant,

90 vs.

Board of Education of School District No.
71, Champaign County, Illinois, et al.

ON CONSIDERATION of the motion of Synagogue Council of America, et al. for leave to file a brief as amici curiae in this case,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, granted.

Per Mr. Chief Justice Vinson.

Reba W. Thibaut, Individually, and on
Behalf of the Minor Children, Joseph L.
Thibaut, Jr., et al.,

Petitioners,

231 vs.

Car & General Insurance Corporation, Ltd.,
etc.

ON CONSIDERATION of the motion of respondent to stay the mandate in this case pending disposition of the petition for rehearing,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, granted.

Per Mr. Chief Justice Vinson.

International Brotherhood of Teamsters,
Chauffeurs, Warehousemen and Helpers Union,
et al.,

Appellants,

397 vs.

Denver Milk Producers, Inc., et al.

The statement of jurisdiction in this case having been submitted and considered by the Court, probable jurisdiction is noted.

Per Mr. Chief Justice Vinson.

Fontaine Le Maistre, Order allowing certiorari.

Petitioner,

362 vs.

Herman Leffers, et al.

The petition herein for a writ of certiorari to the Supreme Court of the State of Florida is granted.

And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

Ada Lois Sipuel, Order allowing certiorari.

Petitioner,

369 vs.

Board of Regents of the University of Oklahoma, et al.

The petition herein for a writ of certiorari to the Supreme Court of the State of Oklahoma is granted.

And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

Pong Haw Tan, Order allowing certiorari.

Petitioner,

370 vs.

Arthur J. Phelan, Acting District Director, Immigration and Naturalization Service, Port of San Francisco, California.

The petition herein for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit is granted. And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

Bay Ridge Operating Co., Inc.,

Petitioner,

366 vs.

James Aaron, Albert Alston, James Philip Brooks, et al.; and

Huron Stevedoring Corporation,

Petitioner,

367 vs.

Leo Blue, Nathaniel Dixon, Christian Elliott.

ON CONSIDERATION of the motion of International Longshoremen's Association for leave to file brief as amicus curiae in these cases,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, granted.

Per Mr. Chief Justice Vinson.

Bay Ridge Operating Co., Inc., Order allowing certiorari.

Petitioner,

366 vs.

James Aaron, Albert Alston, James Philip Brooks, et al.

The petition herein for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit is granted. And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

Huron Stevedoring Corporation, Order allowing certiorari.

Petitioner,

367 vs.

Leo Blue, Nathaniel Dixon, Christian Elliott.

The petition herein for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit is granted. And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in

The United States, Petitioner, vs. A. M. Landman, Superintendent of The Five Civilized Tribes, etc. — On petition for writ of certiorari to The Court of Claims.

325

ON CONSIDERATION of the petition for a writ of certiorari herein to the Court of Claims and of the argument of counsel thereupon had, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

A. M. Landman, Superintendent of The Five Civilized Tribes, etc., Petitioner, vs. The United States. — On petition for writ of certiorari to The Court of Claims.

327

ON CONSIDERATION of the petition for a writ of certiorari herein to the Court of Claims and of the argument of counsel thereupon had, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

The United States, Petitioner, vs. Swiss Confederation. — On petition for writ of certiorari to The Court of Claims.

342

ON CONSIDERATION of the petition for a writ of certiorari herein to the Court of Claims and of the argument of counsel thereupon had, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

The United States,
Petitioner,
343 vs.
Society of Chemical Industry, Basle, Switzerland, a Joint Stock Company.

On petition for writ of certiorari to The Court of Claims.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Court of Claims and of the argument of counsel thereupon had, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Pedro Sanchez,
Petitioner,
356 vs.
Commissioner of Internal Revenue.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Second Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Atlantic Greyhound Corporation,
Petitioner,
357 vs.
Walter Hunt, Administrator of Mary Ellen Hunt, et al.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Fourth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

F. J. Englert,

Petitioner,

358 vs.

S. Birch & Sons Construction Co., and Morrison-Knudson Co.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Ninth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Edward C. Soderberg, John J. Kissane and Willard B. Howell,

Petitioners,

359 vs.

S. Birch & Sons Construction Co., and Morrison-Knudson Co.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Ninth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Bailester Hermanos,

Petitioner,

360 vs.

Rafael Busaglia, Treasurer of Puerto Rico.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the First Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the First Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Martha Pryor,

Petitioner,

363 vs.

Susie Pryor Craft, et al.

On petition for writ of certiorari to the Supreme Court of the State of Oklahoma.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of Oklahoma, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Virgil E. Barkman,

Petitioner,

364 vs.

Joseph W. Sanford, Warden, United States Penitentiary, Atlanta, Georgia.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Fifth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Frank L. Kloeb, United States District Judge for the Northern District of Ohio,

Petitioner,

368 vs.

Euphime V. Bereslavsky.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Sixth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

California Apparel Creators, a Corporation, et al.,

Petitioners,

378 vs.

Wieder of California, Inc., California Sportswear, Inc., and Cortley Shirt Company, Inc.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Second Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Anne P. Humphrey, Estate of Albert Patterson Humphrey, Deceased, et al.,

Petitioners,

380 vs.

Commissioner of Internal Revenue.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Fifth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Estate of Albert Patterson Humphrey, Deceased, Joe A. Humphrey, Independent Executor,

Petitioner,

381 vs.

Commissioner of Internal Revenue.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Fifth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Jessie L. O'Daniel,

Petitioner,

382 vs.

The Pennsylvania Railroad Company.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Third Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Jessie L. O'Daniel, Executrix of the Will of William Bryan O'Daniel, Deceased,

Petitioner,

383 vs.

The Pennsylvania Railroad Company.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Third Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

State of Ohio, on the Relation of William A. Williams,

Petitioner,

391 vs.

C. Emory Glander, Tax Commissioner of the State of Ohio.

On petition for writ of certiorari to the Supreme Court of the State of Ohio.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of Ohio, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Edgar C. Johnston,

Petitioner,

393 vs.

Arrow Petroleum Co.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Seventh Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

R K O Radio Pictures, Inc., Loew's Incorporated, Twentieth Century-Fox Film Corporation, et al.,

Petitioners,

394 vs.

Florence B. Bigelow, et al.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Seventh Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Universal Oil Products Company,

Petitioner,

552, 553 & 102, Misc. vs.

Root Refining Company and Skelly Oil Company; and

Universal Oil Products Company,

Petitioner,

103, Misc. vs.

Honorable John Biggs, et al.

ON CONSIDERATION of the motions to incorporate by reference the certified record in No. 48, October Term, 1945, in these cases,

IT IS ORDERED by this Court that the said motions be, and they are hereby, granted.

Per Mr. Chief Justice Vinson.

Universal Oil Products Company,

Petitioner,

352, 353, & 102 Misc. vs.

Root Refining Company and Skelly Oil Company; and

Universal Oil Products Company,

Petitioner,

103 Misc. vs.

Honorable John Biggs, et al.

ON CONSIDERATION of the motions for leave to file brief of Leslie Nichols as amicus curiae in these cases,

IT IS ORDERED by this Court that the said motions be, and they are hereby, granted.

Per Mr. Chief Justice Vinson.

Universal Oil Products Company,

Petitioner,

552 vs.

Root Refining Company and Skelly Oil Company.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Third Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Universal Oil Products Company,
Petitioner,
vs.
Root Refining Company and Skelly Oil Company.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit.

553

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Third Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Universal Oil Products Co.,
Petitioner,
vs.
Root Refining Company and Skelly Oil Co.

102, Misc.

ON CONSIDERATION of the motion for leave to file a petition for writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit herein,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Universal Oil Products Co.,
Petitioner,
vs.
Honorable John Biggs, et al.

103, Misc.

ON CONSIDERATION of the motion for leave to file a petition for writs of prohibition and mandamus herein,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Edward R. Downing, Suing on His Own Behalf and On Behalf of All Other Stockholders of The United Corporation, etc.,

Petitioner,

365 vs.

George H. Howard, et al.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Third Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

State Lodge of Michigan, Fraternal Order of Police, etc., et al.,

Petitioners,

372 vs.

City of Detroit, et al.

ON CONSIDERATION of the motion to proceed on a reduced number of copies of Exhibit Vol. II of the record in this case,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, granted.

Per Mr. Chief Justice Vinson.

State Lodge of Michigan, Fraternal Order of Police, etc., et al.,

Petitioners,

372 vs.

City of Detroit, et al.

On petition for writ of certiorari to the Supreme Court of the State of Michigan.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of Michigan, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Patrick Flaherty,

Petitioner,

1455 O.T. '46 vs.

The People of the State of Illinois.

A second petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Armand Robichaud,

Petitioner,

99 vs.

Daniel J. Brennan, Judge of Essex County Court of Common Pleas, State of New Jersey, et al.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Albert F. Conn, Robert D. Flynt, and Willie E. Nelson,

Petitioners,

103 vs.

The United States.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Builders Trust Company,

Petitioner,

124 vs.

Walter P. Butler, Helen W. Butler, Effie Butler O'Connor, et al.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

L. B. Adams, S. W. Allen, J. E. Bowie, et al.,

Petitioners,

137 vs.

Brotherhood of Railroad Trainmen, et al.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Hiram H. Halstead,

Petitioner,

151 vs.

Industrial Accident Commission of the State of California.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

William Roy Miller,

Petitioner,

172 vs.

Joseph W. Sanford, Warden, etc.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Herbert M. Gregory,

Petitioner,

203 vs.

The United States.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Gordons Transports, Inc.,

Petitioner,

210 vs.

William R. McComb, Administrator of the Wage and Hour Division, etc.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Homer L. Bruce, et ux., Clara C. Bruce,

Petitioners,

243 vs.

J. P. King, Jr.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mary Wall Kirby, et al.,

Petitioners,

272 vs.

Houston Oil Co. of Texas, et al.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

The Texas and Pacific Railway Company, et al.,

Petitioners,

136 vs.

Brotherhood of Railroad Trainmen, et al.

ON CONSIDERATION of the motion to defer consideration of the petition for rehearing in this case,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

The Texas and Pacific Railway Company, et al.,

Petitioners,

136 vs.

Brotherhood of Railroad Trainmen, et al.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Murray Mester and Meyer Mester,

Appellants,

173 vs.

The United States of America, Federal Communications Commission, et al.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Black took no part in the consideration or decision of this application.

Rice Bros., a Partnership, etc.,

Petitioner,

233 vs.

E. H. Birmingham.

ON CONSIDERATION of the motion of National Live Stock Exchange for leave to file a brief as amicus curiae in this case,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, granted.

Per Mr. Chief Justice Vinson.

Rice Bros., a Partnership, etc.,

Petitioner,

233 vs.

E. H. Birmingham.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

State of Florida, ex rel. William H. McKeighan,

Appellant,

257 vs.

Jimmy Sullivan, as Sheriff of Dade County, Florida.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Murphy took no part in the consideration or decision of this application.

Arnold Bernstein, Also Known as Arnold M. Bernstein,

Petitioner,

259 vs.

N. V. Nederlandsche-Amerikaansche Stoomvaart-Maatschappij, Also Known as Holland-American Line.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Jackson took no part in the consideration or decision of this application.

Charles F. Hemans,

Petitioner,

299 vs.

The United States of America.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Murphy and Mr. Justice Rutledge took no part in the consideration or decision of this application.

Beatrice Miller Montanye,

Petitioner,

1, Misc. vs.

People of the State of New York.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Ida M. Picking and Guy W. Picking,

Petitioners,

6, Misc. vs.

The Pennsylvania R. R. Co.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Paul Davis Sheridan,

Petitioner,

25, Misc. vs.

The United States of America.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

William E. Fife,

Petitioner,

26, Misc. vs.

The Great Atlantic & Pacific Tea Co., et al.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

George Phillips,

Petitioner,

33, Misc. vs.

J. Vernal Jackson, Warden, etc.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Harvey Bistany,

Petitioner,

48, Misc. vs.

The New York State Parole Board.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Everett Rheim,

Petitioner,

64, Misc. vs.

People of the State of New York.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

W. E. Maxwell,

Petitioner,

82, Misc. vs.

Robert H. Hudspeth, Warden.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Victor J. Evans,

Petitioner,

74, Misc. vs.

Walter A. Hunter, Warden.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Tenth Circuit.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Frank Nicholas Taras, Petitioner, vs. People of the State of New York. — On petition for writ of certiorari to the Court of Appeals of the State of New York.

95, Misc.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Harmon M. Waley, Petitioner, vs. James A. Johnston, Warden. — On petition for writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit.

109, Misc.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Irvin Mattio, Petitioner, vs. State of Louisiana. — On petition for writ of certiorari to the Supreme Court of the State of Louisiana.

134, Misc.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

James McGregor, Petitioner, vs. Joseph E. Ragen, Warden.

On petition for writ of certiorari to the Circuit Court of Cook County, State of Illinois.

155, Misc.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Harry Holderfield, Petitioner, vs. People of the State of Illinois.

On petition for writ of certiorari to the Supreme Court of the State of Illinois.

156, Misc.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

John M. Canada, Petitioner, vs. James M. Jones, Warden.

On petition for writ of certiorari to the Supreme Court of the State of Nebraska.

145, Misc.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

George A. Price,
Petitioner,
146, Misc. vs.
Walter Nierstheimer, Warden.

On petition for writ of certiorari to the Supreme Court of the State of Illinois.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Carl S. Seely,
Petitioner,
148, Misc. vs.
Robert A. Heinze, Warden.

On petition for writ of certiorari to the Supreme Court of the State of California.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Nolan V. Gibson,
Petitioner,
135, Misc. vs.
C. J. Shuttleworth, Warden.

ON CONSIDERATION of the motion for leave to file a petition for writ of habeas corpus herein,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Jessie James Patton,

Petitioner,

137, Misc. vs.

Donald Clemmer, Director.

ON CONSIDERATION of the motion for leave to file a petition for writ of habeas corpus herein,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Raymond J. Wheeler,

Petitioner,

149, Misc. vs.

Donald Clemmer, Director.

ON CONSIDERATION of the motion for leave to file a petition for writ of habeas corpus herein,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Ex parte Hanns Hornung,

Petitioner.

138, Misc.

ON CONSIDERATION of the application submitted herein by Hanns Hornung,

IT IS ORDERED by this Court that the said application be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Bernard M. Shotkin, et al., Petitioners, On petition for writ of certiorari to the United States Circuit Court of Appeals for the Tenth Circuit.

139, Misc. vs.

Thomas A. Edison, Inc.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied. The application for allowance of an appeal is also denied.

Per Mr. Chief Justice Vinson.

Edward Smith,

Petitioner,

142, Misc. vs.

Ralph W. Howard, Warden.

ON CONSIDERATION of the motion for leave to file a petition for writ of certiorari herein,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

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Murray Winters,

Appellant,

3 vs.

The People of the State of New York.

Reargued by Mr. Arthur W. Seiff for the appellant, and by Mr. Whitman Knapp for the appellee.

Joseph White Musser, Guy W. Musser,
Charles Frederick Zitting, et al.,

Appellants,

60 vs.

The State of Utah.

Argued by Mr. Claude T. Barnes for the appellants, and by Mr. Zar E. Hayes and Mr. Calvin L. Rampton for the appellee. Leave granted appellants to file supplemental brief within two weeks, with leave to appellee to reply within one week thereafter.

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Proclamation being made the Court is adjourned until Wednesday, November 12, next, at 12 o'clock.

WEDNESDAY, NOVEMBER 12, 1947.

Pursuant to adjournment the Court met at the Supreme Court Building.

PRESENT:

The Honorable Fred M. Vinson, Chief Justice,
Hugo L. Black.
Stanley Reed,
Felix Frankfurter,
William O. Douglas,
Frank Murphy,
Robert H. Jackson,
Wiley Rutledge,
Harold H. Burton.
Associate Justices.

Thomas Ennalls Waggaman, Esquire, Marshal,

Charles Elmore Cropley, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Thomas E. Harris, It is ordered that Allison Dunham, Esquire, of New York, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. John W. Davis, It is ordered that David M. Potts, Esquire, of New York, State of New York; Warren E. Hoagland, Esquire, of New York, State of New York; and Richard Cameron Woods, Esquire, of New York, State of New York, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Thomas L. Mead, Jr., It is ordered that Herbert W. Gedlman, Esquire, of Washington, District of Columbia, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Chester D. Silvers, It is ordered that Anthony Wayne Thomson, Esquire, of Lexington, Commonwealth of Kentucky, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Frederick Bernays Wiener, It is ordered that Lester C. Dickson, Esquire, of Fayetteville, State of Georgia, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Alexander C. Neave, It is ordered that Albert C. Bickford, Esquire, of New York, State of New York, and Stephen P. Duggan, Jr., Esquire, of New York, State of New York, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. John V. Lewis, It is ordered that Arthur P. Shapro, Esquire, of San Francisco, State of California, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Botford Vance Lawson, Jr., It is ordered that Sandolphra Robinson, Esquire, of Washington, District of Columbia, and Oliver W. Cosey, Esquire, of Washington, District of Columbia, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. John C. Ristine, It is ordered that Walter B. Wilbur, Esquire, of Charleston, State of South Carolina, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Arthur L. Quinn, It is ordered that Gerald C. Rittenhouse, Esquire, of Dallas, State of Texas, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

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Tom C. Clark, Attorney General, as
Successor to the Alien Property
Custodian,

Petitioner,

35 vs.

Uebersee Finanz-Korporation, A. G.

Reargued by Mr. M. S. Isenbergh for the petitioner, and by Mr. Richard J. Connor for the respondent.

Silesian American Corporation, Debtor,
and Silesian Holding Company,

Petitioners,

6 vs.

Tom C. Clark, Attorney General, as
Successor to the Alien Property
Custodian.

Reargued by Mr. Leonard P. Moore for the petitioners, and Mr. James L. Morrisson for the respondent. Leave granted petitioner to file additional brief by November 19, with leave to respondent to reply thereto within one week after service.

The United States of America,

Appellant,

8 vs.

Line Material Company, General Electric
Company, James R. Kearney Corporation, et al.

Reargument commenced by Mr. Frederick Bernays Wiener for the appellant.

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Proclamation being made the Court is adjourned until tomorrow at 12 o'clock.

Pursuant to adjournment the Court met at the Supreme Court Building.

PRESENT:

The Honorable Fred M. Vinson, Chief Justice,
Hugo L. Black,
Stanley Reed,
Felix Frankfurter,
William O. Douglas,
Frank Murphy,
Wiley Rutledge,
Harold H. Burton. Associate Justices.

Thomas Ennalls Waggaman, Esquire, Marshal,

Charles Elmore Cropley, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Homer Ferguson, It is ordered that Wilson W. Mills, Esquire, of Detroit, State of Michigan, and William P. Rogers, Esquire, of New York, State of New York, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. James Joseph Kearney, It is ordered that William Peter Kearney, Esquire, of Chicago, State of Illinois, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Herman Tocker, It is ordered that Mario H. Volpe, Esquire, of Trenton, State of New Jersey, and Constantine Donato, Esquire, of Trenton, State of New Jersey, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Maurice R. Barnes, It is ordered that William A. Dawson, Esquire, of Layton, State of Utah, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Clark J. A. Hazelwood, It is ordered that Chester W. Brown, Esquire, of Milwaukee, State of Wisconsin, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Edward Knuff, It is ordered that Henry V. Stebbins, Esquire, of New York, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Roger Ratcliff, It is ordered that James P. Burns, Esquire, of Washington, District of Columbia, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

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The United States of America,

Appellant,

8 vs.

Line Material Company, General Electric Company, James R. Kearney Corporation, et al.

Reargument continued by Mr. Frederick Bernays Wiener for the appellant; by Mr. John Lord O'Brian for the appellees, and by Mr. Albert R. Connelly for the appellee, Westinghouse Electric Corporation, and concluded by Mr. Frederick Bernays Wiener for the appellant.

The United States of America,

Appellant,

13 vs.

United States Gypsum Company, et al.

Five hours allowed for oral argument. Argument commenced by Mr. Roscoe T. Steffen for the appellant.

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Proclamation being made the Court is adjourned until tomorrow at 12 o'clock.

FRIDAY, NOVEMBER 14, 1947.

Pursuant to adjournment the Court met at the Supreme Court Building.

PRESENT:

The Honorable Fred M. Vinson, Chief Justice,
Hugo L. Black,
Stanley Reed,
Felix Frankfurter,
William O. Douglas,
Frank Murphy,
Robert H. Jackson,
Wiley Rutledge,
Harold H. Burton,
Associate Justices.

Thomas Ennalls Waggaman, Esquire, Marshal,

Charles Elmore Cropley, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Wayne Lyman Morse, It is ordered that Rex Kimmell, Esquire, of Salem, State of Oregon, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Walter F. George, It is ordered that L. Eugene Jessup, Esquire, of Macon, State of Georgia, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Howard Myers, It is ordered that Martin S. Bennett, Esquire, of Boston, Commonwealth of Massachusetts, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. William P. Evans, It is ordered that Carl E. Hartley, Esquire, of Muncie, State of Indiana; Robert R. Batton, Esquire, of Marion, State of Indiana; Owen S. Boling, Esquire, of Indianapolis, State of Indiana; Samuel Lichtenfeld, Esquire, of West Chester, Commonwealth of Pennsylvania; and John E. Fell, Esquire, of Kokomo, State of Indiana, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Frederick Bernays Wiener, It is ordered that John Martin Kelley, Jr., Esquire, of Fort Atkinson, State of Wisconsin, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. William F. Weigester, It is ordered that William E. Currie, Esquire, of Manhasset, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Sandolphra Robinson, It is ordered that George Walter Crank, Esquire, of Des Moines, State of Iowa, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

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The United States of America,

Appellant,

13 vs.

United States Gypsum Company, et al.

Argument continued by Mr. Roscoe T. Steffen, for the appellant; by Mr. Bruce Bromley for the appellees, and concluded by Mr. Roscoe T. Steffen for the appellant.

Panhandle Eastern Pipe Line Company,

Appellant,

69 vs.

The Public Service Commission of Indiana, et al.

Argument commenced by Mr. John S. L. Yost for the appellant, and continued by Mr. Karl J. Stipher for the appellee, Public Service Commission of Indiana.

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MONDAY, NOVEMBER 17, 1947.

Pursuant to adjournment the Court met at the Supreme Court Building.

PRESENT:

The Honorable Fred M. Vinson, Chief Justice,
Hugo L. Black,
Stanley Reed,
Felix Frankfurter,
William O. Douglas,
Frank Murphy,
Robert H. Jackson,
Wiley Rutledge,
Harold H. Burton,
Associate Justices.
Thomas Ennalls Waggaman, Esquire, Marshal,
Charles Elmore Cropley, Clerk.

Proclamation being made the Court is opened.

*On motion first made to the Court in this behalf by Mr. Solicitor General Philip B. Perlman, It is ordered that Clayton L. Klein, Esquire, of Waterbury, State of Connecticut, and Joseph M. Navin, Esquire, of Waterbury, State of Connecticut, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Archie K. Snipe, It is ordered that Joseph A. Yager, Esquire, of Toledo, State of Ohio, and Joseph Severn Jones, Esquire, of Salt Lake City, State of Utah, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Arthur E. Nelson, It is ordered that Roy J. Noman, Esquire, of Saint Paul, State of Minnesota, and Francis H. Madden, Esquire, of Chicago, State of Illinois, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

*Motions for admission to the Bar were made the first order of business, effective this date, by oral direction to the Clerk by the Chief Justice.

On motion first made to the Court in this behalf by Mr. Donald B. Anderson, It is ordered that Robert Irwin Troxell, Esquire, of Caldwell, State of Idaho, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Arnold R. Boyd, It is ordered that William E. Mills, Jr., Esquire, of New York, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. John Wattawa, It is ordered that Max Schultz, Esquire, of New York, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. John A. Danaher, It is ordered that Barrett Quirk, Esquire, of Washington, District of Columbia, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. David W. Louisell, It is ordered that Robert H. Fabian, Esquire, of Colma, State of California, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Joseph R. German, It is ordered that Joseph E. Cole, Esquire, of Nevada, State of Missouri, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Irving M. Gruber, It is ordered that Arthur G. Silverman, Esquire, of New York, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Earl F. Wisdom, It is ordered that Bert Francis Wisdom, Esquire, of Des Moines, State of Iowa, and William Marian Wisdom, Esquire, of Des Moines, State of Iowa, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

James F. Morris,

Petitioner,

7 vs.

William R. McComb, Administrator of the Wage and Hour Division, United States Department of Labor.

On writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit.

THIS CAUSE came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Sixth Circuit, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is ordered and adjudged by this Court that the judgment of the said United States Circuit Court of Appeals, in this cause, be, and the same is hereby, vacated; and that this cause be, and the same is hereby, remanded to the District Court of the United States for the Eastern District of Michigan for further proceedings consistent with the opinion of the Circuit Court of Appeals as modified by the opinion of this Court.

Per Mr. Justice Burton.

Dissenting opinion by Mr. Justice Murphy in which Mr. Justice Black and Mr. Justice Douglas concur.

Dissenting opinion by Mr. Justice Rutledge.

Priebe & Sons, Inc.,

Petitioner,

16 vs.

The United States.

On writ of certiorari to the Court of Claims.

THIS CAUSE came on to be heard on the transcript of the record from the Court of Claims, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is ordered and adjudged by this Court that the judgment of the said Court of Claims in this cause, be, and the same is hereby, reversed; and that this cause be, and the same is hereby, remanded to the Court of Claims for proceedings in conformity with the opinion of this Court.

Per Mr. Justice Douglas.

Dissenting opinion by Mr. Justice Black in which Mr. Justice Murphy joins.

Dissenting opinion by Mr. Justice Frankfurter in which the Chief Justice joins.

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The Chief Justice said:

"The orders of the Court appear upon the list certified by the Chief Justice and filed with the Clerk and will not be announced orally."

ORDER

It is ordered that Judge Sam M. Driver, of Spokane, Washington, be, and he hereby is, appointed a member of the Advisory Committee, appointed by the order of June 3, 1935, and designated as a continuing Committee to advise the Court with respect to amendments or additions to the Rules of Civil Procedure for the District Courts of the United States, by the order of January 5, 1942, in the place of George Donworth, deceased.

Per Mr. Chief Justice Vinson.

State of Illinois,

Complainant,

9, Original vs.

State of Indiana, City of East Chicago, Fruit Growers Express Company, et al.

The Second Special Report of the Special Master as to the American Bridge Company is approved.

It appearing to the Court from said Report that counsel for the State of Illinois, State of Indiana, City of Gary, and American Bridge Company have entered into a stipulation providing for the dismissal of the amended bill of complaint in this cause as to the defendant American Bridge Company;

Therefore, pursuant to said stipulation, it is ordered by this Court that the amended bill of complaint herein as to the American Bridge Company, be, and the same is hereby, dismissed, costs to be taxed in accordance with the recommendations of the Special Master in his Second Special Report dated September 7, 1947.

Per Mr. Chief Justice Vinson.

State of Illinois,

Complainant,

9, Original vs.

State of Indiana, City of East Chicago, Fruit Growers Express Company, et al.

The Second Special Report of the Special Master as to the Carbide and Carbon Chemicals Corporation is approved.

It appearing to the Court from said Report that counsel for the State of Illinois, State of Indiana, City of Whiting, and Carbide and Carbon Chemicals Corporation have entered into a stipulation providing for the dismissal of the amended bill of complaint in this cause as to the defendant Carbide and Carbon Chemicals Corporation;

Therefore, pursuant to said stipulation, it is ordered by this Court that the amended bill of complaint herein as to Carbide and Carbon Chemicals Corporation, be, and the same is hereby, dismissed, costs to be taxed in accordance with the recommendations of the Special Master in his Second Special Report dated September 7, 1947.

Per Mr. Chief Justice Vinson.

State of Illinois,

Complainant,

9, Original vs.

State of Indiana, City of East Chicago, Fruit Growers Express Company, et al.

The Second Special Report of the Special Master as to E. I. duPont deNemours and Company is approved.

It appearing to the Court from said Report that counsel for the State of Illinois, State of Indiana, City of East Chicago, and E. I. duPont deNemours and Company have entered into a stipulation providing for the dismissal of the amended bill of complaint in this cause as to the defendant E. I. duPont deNemours and Company;

Therefore, pursuant to said stipulation, it is ordered by this Court that the amended bill of complaint herein as to E. I. duPont deNemours and Company, be, and the same is hereby, dismissed, costs to be taxed in accordance with the recommendations of the Special Master in his Second Special Report dated September 7, 1947.

Per Mr. Chief Justice Vinson.

State of Illinois,

Complainant,

9, Original vs.

State of Indiana, City of East Chicago,
Fruit Growers Express Company, et al.

The Second Special Report of the Special Master as to Fruit Growers Express Company is approved.

It appearing to the Court from said Report that counsel for the State of Illinois, State of Indiana, City of East Chicago, and Fruit Growers Express Company have entered into a stipulation providing for the dismissal of the amended bill of complaint in this cause as to the defendant Fruit Growers Express Company;

Therefore, pursuant to said stipulation, it is ordered by this Court that the amended bill of complaint herein as to Fruit Growers Express Company, be, and the same is hereby, dismissed, costs to be taxed in accordance with the recommendations of the Special Master in his Second Special Report dated September 7, 1947.

Per Mr. Chief Justice Vinson.

State of Illinois,

Complainant,

9, Original vs.

State of Indiana, City of East Chicago,
et al.

The Second Special Report of the Special Master as to Universal Atlas Cement Company is approved.

It appearing to the Court from said Report that counsel for the State of Illinois, State of Indiana, City of Gary, and Universal Atlas Cement Company have entered into a stipulation providing for the dismissal of the amended bill of complaint in this cause as to the defendant Universal Atlas Cement Company;

Therefore, pursuant to said stipulation, it is ordered by this Court that the amended bill of complaint herein as to Universal Atlas Cement Company, be, and the same is hereby, dismissed, costs to be taxed in accordance with the recommendations of the Special Master in his Second Special Report dated September 7, 1947.

Per Mr. Chief Justice Vinson.

State of Illinois,

Complainant,

9, Original vs.

State of Indiana, City of East Chicago, et al.

It appearing to the Court that complainant State of Illinois and defendants State of Indiana, City of East Chicago and Bates Expanded Steel Corporation, a Delaware corporation (now known as East Chicago Expanded Steel Company) and Bates Expanded Steel Corporation, an Indiana corporation, have stipulated that Bates Expanded Steel Corporation, an Indiana corporation, be substituted as a party defendant in place of said Delaware corporation, said Indiana corporation having adopted the answer of the Delaware corporation;

Therefore, pursuant to said stipulation, it is ordered by this Court that Bates Expanded Steel Corporation, an Indiana Corporation, be substituted as a party defendant herein in the place and stead of Bates Expanded Steel Corporation, a Delaware Corporation, now known as East Chicago Expanded Steel Company.

Per Mr. Chief Justice Vinson.

The State of Illinois,

Complainant,

9, Original vs.

The State of Indiana, et al.

The Second Interim Report of the Special Master, dated September 7, 1947, is approved. The Court orders and directs the Special Master to continue the proceedings in accordance with the order of this Court dated February 17, 1947. The Court further orders that the recommendation of the Special Master as to the apportionment of costs be adopted and costs for the period from September 8, 1946, to September 7, 1947, inclusive, shall be taxed as recommended in the Second Interim Report. The objections of the State of Illinois to the proposed apportionment of costs are overruled.

Per Mr. Chief Justice Vinson.

The State of Illinois,

Complainant,

9, Original vs.

State of Indiana, City of East Chicago, et al.

ON CONSIDERATION of the second petition of the Special Master in this case dated September 7, 1947, for allowance of expenses and compensation;

IT IS ORDERED that Luther Ely Smith, Esquire, be, and he is hereby, awarded the sum of $6,000 as compensation for his services from September 8, 1946 to September 7, 1947.

IT IS FURTHER ORDERED that the expenses of the Special Master amounting to $2,795.50 up to and including September 7, 1947, be, and they are hereby, approved and allowed.

Per Mr. Chief Justice Vinson.

Robert E. Hannegan, Individually and as Postmaster General of the United States,

Petitioner,

50 vs.

Read Magazine, Inc., et al.

This case is ordered restored to the docket for reargument. On reargument counsel need not further discuss the sufficiency of the evidence to support the Postmaster General's findings. They are requested to discuss the following:

1. Does the fraud order prohibit delivery of mail and postal money orders to Facts Magazine and all its employees, including its editor in chief? If so,

(a) Is the order within the Postmaster General's authority under 39 U. S. C. Secs. 259, 732?

(b) If so, do these code provisions, in violation of the First Amendment or any other constitutional provisions, abridge the freedom of speech or press of either the senders or the sendees of the mail or the money orders?

2. Does the fraud order prohibit indefinitely the delivery of mail or money orders which relate to subject matters or contests other than the contest on which the order is based? If so,

(a) Is the order within the Postmaster General's statutory authority?

(b) If so, are these code provisions in conflict with the Constitution of the United States?

3. Assuming that the order is in conflict with the code provisions or the Constitution, can it be modified in such way as to free it from statutory or constitutional objections? If so, by whom can the order be modified and by what procedure?

Per Mr. Chief Justice Vinson.

Gene McCann,

Petitioner,

540, O.T. '46 vs.

Tom C. Clark, Attorney General of the United States;

Gene McCann,

Petitioner,

841 O.T. '46 vs.

William A. Adams, Warden of the City Prison of Manhattan, New York City, et al.; and

Gene McCann,

Petitioner,

1040 O.T. '46 vs.

Tom C. Clark, Attorney General of the United States, et al.

ON CONSIDERATION of the application of the petitioner for the return of certain documents in these cases,

IT IS ORDERED by this Court that the said application be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

National Labor Relations Board,

Petitioner,

418 O.T. '46 vs.

Jones & Laughlin Steel Corporation.

ON CONSIDERATION of the motion of respondent for amendment of the mandate or for alternative relief in this case,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, denied without prejudice to an application to the Circuit Court of Appeals.

Per Mr. Chief Justice Vinson.

J. D. Shelley, Ethel Lee Shelley, his Wife, and Josephine Fitzgerald,

Petitioners,

72 vs.

Louis Kraemer and Fern Kraemer, his Wife;

Orsel McGhee and Minnie S. McGhee, his Wife,

Petitioners,

87 vs.

Benjamin J. Sipes and Anna C. Sipes, et al.;

James M. Hurd and Mary I. Hurd,

Petitioners,

290 vs.

Frederic E. Hodge, et al.; and

Raphael G. Urciolo, Robert H. Rowe, Isabelle J. Rowe, et al.,

Petitioners,

291 vs.

Frederic E. Hodge, et al.

ON CONSIDERATION of the motion of the Solicitor General of the United States for leave to appear and present oral argument as amicus curiae in these cases,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, granted and one hour is allowed for such argument.

Per Mr. Chief Justice Vinson.

Bob-Lo Excursion Company,

Appellant,

374 vs.

The People of the State of Michigan.

ON CONSIDERATION of the motion of Richard E. Cross for leave to withdraw his appearance as counsel for the appellant in this case,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, granted.

Per Mr. Chief Justice Vinson.

Hazel E. McClelland, on Behalf of Herself and All Other Taxpayers of the County of Los Angeles, State of California, etc.,

Petitioner,

338 vs.

The Board of Supervisors, in its Capacity as the Board of Equalization of the County of Los Angeles, State of California, etc., et al.

On petition for writ of certiorari to the Supreme Court of the State of California.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of California, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Consolidated Machine Tool Corporation,

Petitioner,

351 vs.

National Labor Relations Board.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Second Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Oscar Pofe,

Petitioner,

361 vs.

The Continental Insurance Company of New York.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Seventh Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Tombigbee Mill & Lumber Company, et al.,

Petitioners,

375 vs.

Mrs. Sarah Hollingsworth, et al.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Fifth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

William Albert Belcher,

Petitioner,

377 vs.

Commissioner of Internal Revenue.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Fifth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Jesse M. Carney and Milton Grady Ramsey, Petitioners, vs. The United States of America. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit.

386

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Ninth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Stimson Mill Company, Petitioner, vs. Commissioner of Internal Revenue. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit.

395

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Ninth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

National Pressure Cooker Company, Petitioner, vs. Aluminum Goods Manufacturing Company. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit.

399

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Seventh Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Willie Melmoth Bomar,
Petitioner,
401 vs.
Rowena Keith Keyes and the City of New York.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Second Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Fern North Gishwiller and Calumet Bond & Investment Company,
Petitioners,
425 vs.
Joseph T. Connolly, as Receiver of Calumet National Bank of Chicago, a National Banking Association (in Liquidation).

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Seventh Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

District of Columbia,
Petitioner,
417 vs.
Clifford G. Beckham and Mabel V. Beckham.

On petition for writ of certiorari to the United States Court of Appeals for the District of Columbia.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the District of Columbia, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Jackson took no part in the consideration or decision of this application.

Vail Manufacturing Company,

Petitioner,

1280 O.T. '46 vs.

National Labor Relations Board.

ON CONSIDERATION of the petition for rehearing and of the motion for leave to file supplemental petition for rehearing in this case,

IT IS ORDERED by this Court that the motion for leave to file be, and the same is hereby, granted, and that the petition for rehearing be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

The Chase National Bank of the City of New York, as Trustees, etc., et al.,

Petitioners,

178 vs.

J. Hamilton Cheston, et al.;

The Chase National Bank of the City of New York, as Trustees, etc., et al.,

Petitioners,

179 vs.

Metropolitan Life Insurance Company;

The Chase National Bank of the City of New York, as Trustees, etc., et al.,

Petitioners,

180 vs.

Central Hanover Bank and Trust Company, et al., as trustees, etc.;

The Chase National Bank of the City of New York, as Trustees, etc., et al.,

Petitioners,

181 vs.

The National City Bank of New York, as Trustee, etc.;

The Chase National Bank of the City of New York, as Trustees, etc., et al.,

Petitioners,

182 vs.

John C. Traphagen, et al.;

The Chase National Bank of the City of New York, as Trustees, etc., et al.,

Petitioners,

183 vs.

James G. Blaine, et al.;

The Chicago, Rock Island & Pacific Railway Company,

Petitioner,

184 vs.

Metropolitan Life Insurance Company;

The Chicago, Rock Island & Pacific Railway Company,

Petitioner,

185 vs.

Central Hanover Bank and Trust Company, et al., as Trustees, etc.;

The Chicago, Rock Island & Pacific Railway Company,

Petitioner,

186 vs.

The National City Bank of New York, as Trustee, etc.;

The Chicago, Rock Island & Pacific Railway Company,

Petitioner,

187 vs.

J. Hamilton Cheston, et al.;

The Chicago, Rock Island & Pacific Railway Company,

Petitioner,

188 vs.

John C. Traphagen, et al.; and

The Chicago, Rock Island & Pacific Railway Company,

Petitioner,

189 vs.

James G. Blaine, et al.

A petition for rehearing having been filed in these cases,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

John P. Hooker,

Petitioner,

330 vs.

New York Life Insurance Company.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

The Knott Corporation,

Petitioner,

339 vs.

Mary Hale Furman.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Walter Rice, Petitioner, vs. H. H. Hudspeth, Warden. — On petition for writ of certiorari to the United States Circuit Court of Appeals for the Tenth Circuit.

140, Misc.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

George William Bailey, Petitioner, vs. David A. McMullen, Warden. — On petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit.

151, Misc.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Ross C. Patton, Petitioner, vs. The Baldwin Locomotive Works. — On petition for writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit.

162, Misc.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Salvatore Didato,

Petitioner,

154, Misc. vs.

Francis C. Shaw, Director.

ON CONSIDERATION of the motion for leave to file a petition for writ of habeas corpus herein,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

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The Court will take a recess from Monday, November 24, until Monday, December 8, next.

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Panhandle Eastern Pipe Line Company,

Appellant,

69 vs.

The Public Service Commission of Indiana, et al.

Argument continued by Mr. Karl J. Stipher for the appellee, Public Service Commission of Indiana; by Mr. William P. Evans for the appellees, Indiana Gas and Water Company, et al.; and concluded by Mr. John S. L. Yost for the appellant.

John Harvey Haley,

Petitioner,

51 vs.

The State of Ohio.

Argued by Mr. Edgar M. Jones for the petitioner, and by Mr. W. Bernard Rodgers and Mr. D. Deane McLaughlin for the respondent.

H. C. Jones, Collector of Internal Revenue,

Petitioner,

71 vs.

The Liberty Glass Company.

Argument commenced by Mr. Lee A. Jackson for the petitioner.

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Proclamation being made the Court is adjourned until tomorrow at 12 o'clock.

Pursuant to adjournment the Court met at the Supreme Court Building.

PRESENT:

The Honorable Fred M. Vinson, Chief Justice,
Hugo L. Black,
Stanley Reed,
Felix Frankfurter,
William O. Douglas,
Frank Murphy,
Robert H. Jackson,
Wiley Rutledge,
Harold H. Burton. Associate Justices.

Thomas Ennalls Waggaman, Esquire, Marshal,

Charles Elmore Cropley, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Clifford Davis, It is ordered that Wilena Roberts Bojach, of Memphis, State of Tennessee, be admitted to practice as an Attorney and Counsellor of this Court, and she was sworn accordingly. (Mrs.)

On motion first made to the Court in this behalf by Mr. Allen T. Klots, It is ordered that Peter H. Kaminer, Esquire, of New York, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Forrest C. Donnell, It is ordered that John Lanier Donnell, Esquire, of Saint Louis, State of Missouri, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Ralph H. Dwan, It is ordered that Darrell D. Wiles, Esquire, of Fort Dodge, State of Iowa, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. J. Vaughan Gary, It is ordered that Samuel W. Shelton, Esquire, of Richmond, Commonwealth of Virginia, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. David S. Alishouse, It is ordered that Herman John Lipp, Esquire, of Lansing, State of Michigan, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Charles V. Imlay, It is ordered that George A. Hospidor, Esquire, of Washington, District of Columbia, and Bernard H. White, Esquire, of Washington, District of Columbia, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. U. Bon Geaslin, It is ordered that Sterling P. Stoudenmire, Jr., Esquire, of Washington, District of Columbia, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Louis C. Cosdon, It is ordered that Alvin I. Weinstein, Esquire, of Chicago, State of Illinois, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

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H. C. Jones, Collector of Internal Revenue,

Petitioner,

71 vs.

The Liberty Glass Company.

Argument continued by Mr. Lee A. Jackson for the petitioner, and concluded by Mr. Earl Foster for the respondent.

Giles Kavanagh, Collector of Internal Revenue,

Petitioner,

70 vs.

J. H. Noble.

Argued by Mr. Lee A. Jackson for the petitioner, and by Mr. W. H. Harris and Mr. E. M. Baynes for the respondent.

The United States,

Petitioner,

17 vs.

John J. Felin & Co., Inc.

Reargument commenced by Mr. Assistant Solicitor General Washington for the petitioner, and continued by Mr. Arthur L. Winn, Jr., for the respondent.

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Proclamation being made the Court is adjourned until tomorrow at 12 o'clock.

WEDNESDAY, NOVEMBER 19, 1947.

Pursuant to adjournment the Court met at the Supreme Court Building.

PRESENT:

The Honorable Fred M. Vinson, Chief Justice,
Hugo L. Black,
Stanley Reed,
Felix Frankfurter,
William O. Douglas,
Frank Murphy,
Robert H. Jackson,
Wiley Rutledge,
Harold H. Burton,
Associate Justices.

Thomas Ennalls Waggaman, Esquire, Marshal,

Charles Elmore Cropley, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Roscoe Rizley, It is ordered that A. W. Gilliland, Esquire, of Oklahoma City, State of Oklahoma, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. John H. Pratt, It is ordered that Stanley M. Arndt, Esquire, of San Marino, State of California, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Milton D. Korman, It is ordered that Joseph J. Rehm, Esquire, of Baltimore, State of Maryland, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. A. Harry Becker, It is ordered that Leonard Bessman, Esquire, of Milwaukee, State of Wisconsin, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Michael H. Cardozo, IV, It is ordered that Benjamin N. Cardozo, Esquire, of New York, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

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The United States,

Petitioner,

17 vs.

John J. Felin & Co., Inc.

Reargument concluded by Mr. Arthur L. Winn, Jr., for the respondent.

Chicago and Southern Air Lines, Inc.,

Petitioner,

78 vs.

Waterman Steamship Corporation; and

Civil Aeronautics Board,

Petitioner,

88 vs.

Waterman Steamship Corporation.

Argued by Mr. R. Emmett Kerrigan for the petitioner in No. 78; by Mr. Robert L. Stern for the petitioner in No. 88, and by Mr. Bon Geaslin for the respondent.

Mandeville Island Farms, Inc., and
Roscoe C. Zuckerman,

Petitioners,

75 vs.

American Crystal Sugar Company.

Argued by Mr. Stanley M. Arndt for the petitioners, and by Mr. Pierce Works for the respondent.

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Proclamation being made the Court is adjourned until tomorrow at 12 o'clock.

THURSDAY, NOVEMBER 20, 1947.

Pursuant to adjournment the Court met at the Supreme Court Building.

PRESENT:

The Honorable Fred M. Vinson, Chief Justice,
Hugo L. Black,
Stanley Reed,
Felix Frankfurter,
William O. Douglas,
Frank Murphy,
Robert H. Jackson,
Wiley Rutledge,
Harold H. Burton.
Associate Justices.

Thomas Ennalls Waggaman, Esquire, Marshal,

Charles Elmore Cropley, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. William H. Davis, It is ordered that Jesse Freidin, Esquire, of New York, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Percy Atwood Shay, It is ordered that S. S. Baker, Esquire, of New York, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Joseph P. Tumulty, Jr., It is ordered that Arnold H. Shaw, Esquire, of Brooklyn, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. John W. Willis, It is ordered that Arthur C. Webb, Esquire, of Los Angeles, State of California, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

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Marianna Von Moltke,

Petitioner,

73 vs.

A. Blake Gillies, Superintendent of the Detroit House of Correction.

Argued by Mr. G. Leslie Field for the petitioner, and by Mr. Frederick Bernays Wiener for the respondent.

Jacob Lichter and Jennie L. Lichter, Individually and as Co-partners Doing Business as Southern Fireproofing Company, a Co-partnership,

Petitioners,

105 vs.

The United States of America.

Argument commenced by Mr. Paul M. Steer for the petitioners, and continued by Mr. Solicitor General Perlman for the respondent.

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Proclamation being made the Court is adjourned until tomorrow at 12 o'clock.

Pursuant to adjournment the Court met at the Supreme Court Building.

PRESENT:

The Honorable Fred M. Vinson, Chief Justice,
Hugo L. Black,
Stanley Reed,
Felix Frankfurter,
William O. Douglas,
Frank Murphy,
Robert H. Jackson,
Wiley Rutledge,
Harold H. Burton,
Associate Justices.

Thomas Ennalls Waggaman, Esquire, Marshal,

Charles Elmore Cropley, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. James A. Travis, It is ordered that David Promson, Esquire, of New York, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Peyton Ford, It is ordered that Harold J. Sullivan, Esquire, of Oklahoma City, State of Oklahoma, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Charles Hamilton Houston, It is ordered that Raphael Gerald Urciolo, Esquire, of Washington, District of Columbia, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Maurice R. Weeks, It is ordered that Alexander Y. Russell, Esquire, of Akron, State of Ohio, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Hale Boggs, It is ordered that Emmett Assenheimer, Esquire, of Washington, District of Columbia, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Carl A. Phillippa, It is ordered that Charles Herbert Magill, Esquire, of New Castle, Commonwealth of Pennsylvania, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Albert Holmes Baldridge, It is ordered that William R. Wallace, Jr., Esquire, of Oklahoma City, State of Oklahoma, and David C. Shapard, Esquire, of Oklahoma City, State of Oklahoma, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Frank Romano, It is ordered that Nathan Baker, Esquire, of Hoboken, State of New Jersey, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. John A. McLeod, Jr., It is ordered that Morris A. Lieberman, Esquire, of Chicago, State of Illinois, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Eulan I. Snyder, It is ordered that Leland Dean Norton, Esquire, of Washington, District of Columbia, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

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Jacob Lichter and Jennie L. Lichter,
Individually and as Co-partners
Doing Business as Southern Fireproofing
Company, a Co-partnership,

Petitioners,

105 vs.

The United States of America.

Argument concluded by Mr. Solicitor General Perlman for the respondent.

A. V. Pownall, Grace M. Pownall, and
Hennes-Morgan Machinery Company, Ltd.,

Petitioners,

74 vs.

The United States of America.

Argued by Mr. Leo R. Friedman for the petitioners, and by Mr. Solicitor General Perlman for the respondent.

Alexander Wool Combing Company,

Petitioner,

95 vs.

The United States of America.

Argued by Mr. Edward C. Park for the petitioner, and by Mr. Solicitor General Perlman for the respondent.

Albert Lee,

Petitioner,

91 vs.

State of Mississippi.

Argued by Mr. Forrest B. Jackson for the petitioner, and by Mr. Richard Olney Arrington for the respondent.

Eddie (Buster) Patton,

Petitioner,

122 vs.

State of Mississippi.

Argument commenced by Mr. Thurgood Marshall for the petitioner, and continued by Mr. George H. Ethridge for the respondent.

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Proclamation being made the Court is adjourned until Monday, November 24, next, at 12 o'clock.

MONDAY, NOVEMBER 24, 1947.

Pursuant to adjournment the Court met at the Supreme Court Building.

PRESENT:

The Honorable Fred M. Vinson, Chief Justice,
Hugo L. Black,
Stanley Reed,
Felix Frankfurter,
William O. Douglas,
Robert H. Jackson,
Wiley Rutledge,
Harold H. Burton. Associate Justices.

Thomas Ennalls Waggaman, Esquire, Marshal,

Charles Elmore Cropley, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Frederick Bernays Wiener, It is ordered that William Patrick Clyne, Esquire, of Cleveland, State of Ohio, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. George E. MacKinnon, It is ordered that Joseph Shefner, Esquire, of Minneapolis, State of Minnesota, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Gerhard Van Arkel, It is ordered that Melvern R. Schneider, of Baltimore, State of Maryland, and Charles W. Schneider, Esquire, of Erie, Commonwealth of Pennsylvania, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly. (Mrs.)

On motion first made to the Court in this behalf by Mr. Solicitor General Philip B. Perlman, It is ordered that William Harvey Betts, Esquire, of Hempstead, State of Texas, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Milton V. Freeman, It is ordered that Reginald E. Foster, Esquire, of Pacific Grove, State of California, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Dale D. Drain, It is ordered that Harry T. Davenport, Esquire, of Spokane, State of Washington, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Edward R. Burke, It is ordered that Kenneth S. Wherry, Esquire, of Pawnee City, State of Nebraska, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Alexander Boyd Hawes, It is ordered that Barent Ten Eyck, Esquire, of New York, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. John T. Barker, It is ordered that Lucie L. Watts, Esquire, of Kansas City, State of Missouri, and Charles C. Shafer, Jr., Esquire, of Kansas City, State of Missouri, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Hugh M. McCaffrey, It is ordered that Walter J. Newton, Esquire, of Arlington, Commonwealth of Virginia, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Edward H. Miller, It is ordered that William Henry Biggs, Esquire, of Saint Louis, State of Missouri, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. David S. Allshouse, It is ordered that James Bernard Malone, Esquire, of Lawrence, State of Kansas, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. James Skelly Wright, It is ordered that William A. Shanafelt, Esquire, of Seattle, State of Washington, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

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Wesley William Cox,

Petitioner,

vs.

The United States of America.

On writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit.

THIS CAUSE came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Ninth Circuit, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is ordered and adjudged by this Court that the judgment of the said United States Circuit Court of Appeals, in this cause, be, and the same is hereby, affirmed; and that this cause be, and the same is hereby, remanded to the District Court of the United States for the District of Idaho.

Per Mr. Justice Reed.

Mr. Justice Frankfurter concurs in the result.

Dissenting opinion by Mr. Justice Douglas in which Mr. Justice Black concurs.

Dissenting opinion by Mr. Justice Murphy in which Mr. Justice Rutledge concurs.

Theodore Romaine Thompson,

Petitioner,

67 vs.

The United States of America.

On writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit.

THIS CAUSE came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Ninth Circuit, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is ordered and adjudged by this Court that the judgment of the said United States Circuit Court of Appeals, in this cause, be, and the same is hereby, affirmed; and that this cause be, and the same is hereby, remanded to the District Court of the United States for the District of Idaho.

Per Mr. Justice Reed.

Mr. Justice Frankfurter concurs in the result.

Dissenting opinion by Mr. Justice Douglas in which Mr. Justice Black concurs.

Dissenting opinion by Mr. Justice Murphy in which Mr. Justice Rutledge concurs.

Wilbur Roisum,

Petitioner,

68 vs.

The United States of America.

On writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit.

THIS CAUSE came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Ninth Circuit, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is ordered and adjudged by this Court that the judgment of the said United States Circuit Court of Appeals, in this cause, be, and the same is hereby, affirmed; and that this cause be, and the same is hereby, remanded to the District Court of the United States for the District of Oregon.

Per Mr. Justice Reed.

Mr. Justice Frankfurter concurs in the result.

Dissenting opinion by Mr. Justice Douglas in which Mr. Justice Black concurs.

Dissenting opinion by Mr. Justice Murphy in which Mr. Justice Rutledge concurs.

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Pan American Airways Corporation and Pan American Airways, Inc.,

Petitioners,

4 vs.

W. R. Grace & Co., Civil Aeronautics Board, Eastern Air Lines, Inc., et al.; and

Eastern Air Lines, Inc.,

Petitioner,

5 vs.

W. R. Grace & Co., Civil Aeronautics Board, Pan American Airways Corporation, et al.

On writs of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

It appearing to the Court that counsel for the petitioners have filed a motion to dismiss the writs of certiorari in these cases on the grounds that the cause is moot;

Therefore, pursuant to said motion, it is ordered by this Court that the writs of certiorari herein be, and the same are hereby, dismissed on the ground that the cause is moot.

Per Mr. Chief Justice Vinson.

R. P. Hunter,

Petitioner,

18 vs.

Texas Electric Railway Company.

On writ of certiorari to the Court of Civil Appeals of the State of Texas, 3rd Supreme Judicial District.

THIS CAUSE came on to be heard on the transcript of the record from the Court of Civil Appeals of the State of Texas, 3rd Supreme Judicial District, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is ordered and adjudged by this Court that the judgment of the said Court of Civil Appeals, in this cause, be, and the same is hereby, affirmed with costs.

Per Mr. Chief Justice Vinson.

Dissenting: Mr. Justice Black, Mr. Justice Douglas, Mr. Justice Murphy, and Mr. Justice Rutledge.

Verbie Singleton Lillie,

Petitioner,

206 vs.

Frank A. Thompson, Trustee for the St. Louis-San Francisco Railway Company.

Order allowing certiorari.

The petition herein for a writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit is granted.

And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

Verbie Singleton Lillie,

Petitioner,

206 vs.

Frank A. Thompson, Trustee for the St. Louis-San Francisco Railway Company.

On writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit.

THIS CAUSE came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Sixth Circuit, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is ordered and adjudged by this Court that the judgment of the said United States Circuit Court of Appeals, in this cause, be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the District Court of the United States for the Western District of Tennessee for further proceedings in conformity with the opinion of this Court.

Per Mr. Chief Justice Vinson.

The Texas Company,

Appellant,

423 vs.

Luther S. Montgomery, Commissioner of Wild Life and Fisheries, et al.

Appeal from the District Court of the United States for the Eastern District of Louisiana.

THIS CAUSE came on to be heard on the transcript of the record from the District Court of the United States for the Eastern District of Louisiana, and was duly submitted.

ON CONSIDERATION WHEREOF, It is ordered, adjudged, and decreed by this Court that the decree of the said District Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Chief Justice Vinson.

State of Ohio, ex rel. Vaad Hachinuch Hacharedi,

Appellant,

426 vs.

Edwin C. Baxter, et al., as Members of the City Planning Commission of the City of Cleveland Heights, Ohio.

Appeal from the Supreme Court of the State of Ohio.

THIS CAUSE came on to be heard on the transcript of the record from the Supreme Court of the State of Ohio, and on motion to dismiss or affirm, which was duly submitted.

ON CONSIDERATION WHEREOF, It is now here ordered by this Court that the motion to dismiss the appeal herein be, and the same is hereby, granted.

IT IS FURTHER ORDERED that the appeal herein be, and the same is hereby, dismissed for the want of jurisdiction.

Per Mr. Chief Justice Vinson.

State of Ohio, ex rel. Vaad Hachinuch Hacharedi,

Appellant,

426 vs.

Edwin C. Baxter, et al., as Members of the City Planning Commission of the City of Cleveland Heights, Ohio.

Appeal from the Supreme Court of the State of Ohio.

TREATING the appeal papers herein from the Supreme Court of the State of Ohio as an application for a writ of certiorari;

ON CONSIDERATION WHEREOF, It is ordered by this Court that the said application for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

The Item Company, Inc., Appellant, vs. Loyd H. Mulina, Ambus Miles, and Hall L. Smith. Appeal from the Supreme Court of the State of Louisiana.

456

THIS CAUSE came on to be heard on the transcript of the record from the Supreme Court of the State of Louisiana, and was duly submitted.

ON CONSIDERATION WHEREOF, It is now here ordered by this Court that the appeal herein be, and the same is hereby, dismissed for the want of a substantial federal question.

Per Mr. Chief Justice Vinson.

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The Chief Justice said:

"The other orders of the Court appear upon the list certified by the Chief Justice and filed with the Clerk and will not be announced orally."

The United States of America, Complainant, vs. The State of California.

12, Original

ON CONSIDERATION of the petition of Robert E. Lee Jordan for leave to submit as amicus curiae certain additions to the final decree in this case,

IT IS ORDERED by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Jackson took no part in the consideration or decision of this application.

Daisy Largent,

Appellant,

559 O.T. '42 vs.

The State of Texas.

ON CONSIDERATION of the motion of the appellant for leave to withdraw the petition to compel payment of costs in this case,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, granted.

Per Mr. Chief Justice Vinson.

J. D. Shelley, Ethel Lee Shelley, his Wife, et al.,

Petitioners,

72 vs.

Louis Kraemer and Fern Kraemer, his Wife;

Orsel McGhee and Minnie S. McGhee, his Wife,

Petitioners,

87 vs.

Benjamin J. Sipes and Anna C. Sipes, et al.;

James M. Hurd and Mary I. Hurd,

Petitioners,

290 vs.

Frederic E. Hodge, et al.; and

Raphael G. Urciolo, Robert H. Rowe, et al.,

Petitioners,

291 vs.

Frederic E. Hodge, et al.

ON CONSIDERATION of the motions of Congress of Industrial Organizations and certain affiliated organizations, and National Lawyers Guild for leave to file briefs as amici curiae in these cases,

IT IS ORDERED by this Court that the said motions for leave to file be, and they are hereby, granted.

Per Mr. Chief Justice Vinson.

People of the State of Illinois, ex rel.
Vashti McCollum,

Appellant,

90 vs.

Board of Education of School District
No. 71, etc., et al.

ON CONSIDERATION of the motions of Protestant Council of New York, the Joint Conference Committee on Public Relations set up by the Southern Baptist Convention and others, American Unitarian Association, American Civil Liberties Union, and the American Ethical Union for leave to file briefs and statement as amici curiae in this case,

IT IS ORDERED by this Court that the said motions for leave to file be, and they are hereby, granted.

Per Mr. Chief Justice Vinson.

Commonwealth of Massachusetts,

Petitioner,

157 vs.

The United States of America.

ON CONSIDERATION of the motion of the State of Illinois for leave to appear and present oral argument as amicus curiae in this case,

IT IS ORDERED by this Court that the said motion be, and it is hereby, granted.

Per Mr. Chief Justice Vinson.

Earl J. Toomer, Joseph A. Cesaroni,
Joseph De Gracia, et al.,

Appellants,

415 vs.

J. M. Witsell, Edward E. Burroughs,
E. L. Sweat, et al.

The statement of jurisdiction in this case having been submitted and considered by the Court, probable jurisdiction is noted.

Per Mr. Chief Justice Vinson.

Louis Kreiger, Order allowing certiorari.

Petitioner,

371 vs.

Helene Kreiger.

The petition herein for a writ of certiorari to the Court of Appeals of the State of New York is granted.

And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

Commissioner of Internal Revenue, Order allowing certiorari.

Petitioner,

384 vs.

South Texas Lumber Company.

The petition herein for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit is granted.

And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

Joseph Lasagna,
Petitioner,
283 vs.
Wilson McCarthy and Henry Swan, Trustees of and for the Denver & Rio Grande Western Railroad Company.

On petition for writ of certiorari to the Supreme Court of the State of Utah.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of Utah, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mrs. Lizzie B. Hood, et al.,
Petitioners,
300 vs.
The Texas Company.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Fifth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Lela Mae Benson, Administratrix,
Petitioner,
321 vs.
Missouri-Kansas Texas Railroad Company of Texas.

On petition for writ of certiorari to the Court of Civil Appeals, 5th Supreme Judicial District, State of Texas.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Court of Civil Appeals, 5th Supreme Judicial District, State of Texas, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

The Canister Company, Petitioner, vs. The United States.

389

On petition for writ of certiorari to The Court of Claims.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Court of Claims and of the argument of counsel thereupon had, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

The Pennsylvania Railroad Company, Petitioner, vs. George Roth.

396

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Sixth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

M. I. Anglin and S. A. Anglin, Petitioners, vs. Theodore Kares.

403

On petition for writ of certiorari to the Supreme Court of the State of Florida.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of Florida, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Trust Under Agreement Dated December 30, 1921, by John B. Andrus, Deceased, et al.,

Petitioners,

408 vs.

Commissioner of Internal Revenue.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Second Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Lucile P. Dickie, Executrix of the Estate of James S. Dickie, Deceased,

Petitioner,

410 vs.

Gene C. Hutchinson.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Sixth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

James M. Gordon,

Petitioner,

411 vs.

Kenyon J. Scudder, Superintendent of the California Institute for Men Located at Chino, California.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Ninth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Reba W. Thibaut, Individually and on Behalf of the Minor Children, Joseph L. Thibaut, Jr., et al.,

Petitioners,

231 vs.

Car & General Insurance Corporation, Ltd., United States Branch, a Corporation.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit.

A petition for rehearing having been filed in this case by counsel for respondent upon granting of the petition for certiorari and reversal of the judgment of the Circuit Court of Appeals,

On consideration whereof, it is ordered by this Court as follows: The petition for rehearing is granted. Mr. Justice Black and Mr. Justice Burton are of the opinion the petition for rehearing should be denied. The order granting certiorari and the judgment of reversal entered October 13, 1947, are vacated. The petition for writ of certiorari herein to the Circuit Court of Appeals for the Fifth Circuit is denied.

Per Mr. Chief Justice Vinson.

Dissenting: Mr. Justice Black and Mr. Justice Burton.

Roger Touhy,

Petitioner,

278 vs.

People of the State of Illinois.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

William Dudley Pelley,

Petitioner,

350 vs.

W. Bruce Matthews, United States Marshal.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

The Coca-Cola Company,

Petitioner,

352 vs.

Snow Crest Beverages, Inc.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied. The motion of National Association of Broadcasters for leave to file a brief as amicus curiae is granted.

Per Mr. Chief Justice Vinson.

Joseph Novak,

Petitioner,

151, Misc. vs.

Joseph E. Ragen, Warden.

On petition for writ of certiorari to the Circuit Court of Will County, State of Illinois.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

John Doe Max,

Petitioner,

150, Misc. vs.

People of the State of Illinois.

On petition for writ of certiorari to the Supreme Court of the State of Illinois.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby,

granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

George William Bailey, Petitioner, vs. Anton Schuler. 152, Misc. — On petition for writ of certiorari to the District Court of the United States for the Eastern District of Missouri.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Donald Hugh Lilyroth, Petitioner, vs. Joseph E. Ragen, Warden. 155, Misc. — On petition for writ of certiorari to the Circuit Court of Will County, State of Illinois.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Albert Baker, Petitioner, vs. L. F. Utecht, Warden. 158, Misc. — On petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby,

granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Robert Reynolds, Petitioner, vs. People of the State of Illinois. — On petition for writ of certiorari to the Supreme Court of the State of Illinois.

159, Misc.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

John Schultz, Petitioner, vs. Joseph E. Ragen, Warden. — On petition for writ of certiorari to the Criminal Court of Cook County; Circuit Court of Will County, and the Supreme Court of the State of Illinois.

160, Misc.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Roosevelt Adams, Petitioner, vs. Joseph E. Ragen, Warden. — On petition for writ of certiorari to the Supreme Court of the State of Illinois.

161, Misc.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

William M. Evans, Petitioner, vs. Joseph E. Ragen, Warden. — On petition for writ of certiorari to the Criminal Court of Cook County, State of Illinois.

165, Misc.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Arthur Chalmers, Petitioner, vs. John F. Foster, Warden. — On petition for writ of certiorari to the Court of Appeals of the State of New York.

168, Misc.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Harry Holderfield, Petitioner, vs. Joseph E. Ragen, Warden. — On petition for writ of certiorari to the Circuit Court of Franklin County, State of Illinois.

171, Misc.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

L. M. Morris,

Petitioner,

132, Misc. vs.

E. J. Peacock, Sheriff, Bibb County, Georgia.

On petition for writ of certiorari to the Supreme Court of the State of Georgia.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas, Mr. Justice Murphy, and Mr. Justice Rutledge are of the opinion that the petition for certiorari should be granted.

Bruno Paviliotis,

Petitioner,

170, Misc. vs.

Joseph E. Ragen, Warden.

ON CONSIDERATION of the motion for leave to file a petition for writ of certiorari in this case,

IT IS ORDERED by this Court that the said motion be, and it is hereby, denied.

Per Mr. Chief Justice Vinson.

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Eddie (Buster) Patton,

Petitioner,

122 vs.

State of Mississippi.

Argument continued by Mr. George H. Ethridge for the respondent, and concluded by Mr. Thurgood Marshall for the petitioner.

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Proclamation being made the Court is adjourned until Monday, December 8, next, at 12 o'clock.

Pursuant to adjournment the Court met at the Supreme Court Building.

PRESENT:

The Honorable Fred M. Vinson, Chief Justice,
Hugo L. Black,
Stanley Reed,
Felix Frankfurter,
William O. Douglas,
Robert H. Jackson,
Wiley Rutledge,
Harold H. Burton. Associate Justices.

Thomas Ennalls Waggaman, Esquire, Marshal,

Charles Elmore Cropley, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Solicitor General Philip B. Perlman, It is ordered that T. Vincent Quinn, Esquire, of New York, State of New York; Peter Campbell Brown, Esquire, of New York, State of New York; and Raymond P. Whearty, Esquire, of New York, State of New York, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Walter F. George, It is ordered that Charles Ernest Smith, Jr., Esquire, of Gainesville, State of Georgia; Edgar Brown Dunlap, Esquire, of Gainesville, State of Georgia; and James Anderson Dunlap, Esquire, of Gainesville, State of Georgia, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. John Sparkman, It is ordered that Charles Mitchell Pinkston, Esquire, of Montgomery, State of Alabama, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Henry P. Chandler, It is ordered that Thomas J. Downs, Esquire, of Chicago, State of Illinois, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Joseph R. Bryson, It is ordered that J. Alex Neely, Jr., Esquire, of Anderson, State of South Carolina, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. William P. Rogers, It is ordered that William B. Groat, Jr., Esquire, of New York, State of New York, and Gerald M. Ullman, Esquire, of New York, State of New York, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Richard B. Russell, It is ordered that J. E. Palmour, Jr., Esquire, of Gainesville, State of Georgia, and William P. Whelchel, Esquire, of Gainesville, State of Georgia, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. James Alexander Bell, It is ordered that William G. Palsgrove, Esquire, of Washington, District of Columbia, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Thurgood Marshall, It is ordered that Loren Miller, Esquire, of Los Angeles, State of California, and Willis M. Graves, Esquire, of Detroit, State of Michigan, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Edward R. Burke, It is ordered that Bert L. Overcash, Esquire, of Lincoln, State of Nebraska, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Charles Grant Stetter, It is ordered that W. Arthur Aull, Esquire, of Reading, Commonwealth of Pennsylvania, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. James Austin Stone, It is ordered that Clinton L. Mathis, Esquire, of Seattle, State of Washington, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Edward P. Russell, It is ordered that B. L. Tighe, Jr., Esquire, of Jackson, State of Mississippi, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Samuel Bradford Stewart, Jr., It is ordered that Robert T. Shinkle, Esquire, of New York, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Philip Elman, It is ordered that Leo Pfeffer, Esquire, of New York, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Silas Blake Axtell, It is ordered that David A. Fall, Esquire, of San Pedro, State of California, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Neville Miller, It is ordered that J. Dudley Inman, Esquire, of Louisville, Commonwealth of Kentucky, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Francis M. Shea, It is ordered that Frank C. Roberts, Esquire, of Buffalo, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Milton B. Freeman, It is ordered that Jacob Grumet, Esquire, of New York, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Robert E. Kline, Jr., It is ordered that Michael F. Whalon, Esquire, of New York, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. U. Bon Seaslin, It is ordered that Francis H. Inge, Esquire, of Mobile, State of Alabama, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. R. M. Arnold, It is ordered that J. Madden Hatcher, Esquire, of Columbus, State of Georgia, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Owen Rall, It is ordered that John L. Franklin, Esquire, of Champaign, State of Illinois, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

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Aero Mayflower Transit Company, Appellant, vs. Board of Railroad Commissioners of the State of Montana, et al. — Appeal from the Supreme Court of the State of Montana.

59

THIS CAUSE came on to be heard on the transcript of the record from the Supreme Court of the State of Montana, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court, in this cause, be, and the same is hereby, affirmed with costs.

Per Mr. Justice Rutledge.

Tom C. Clark, Attorney General, as Successor to the Alien Property Custodian,

Petitioner,

vs.

Uebersee Finanz-Korporation, A. G.

On writ of certiorari to the United States Court of Appeals for the District of Columbia.

35

THIS CAUSE came on to be heard on the transcript of the record from the United States Court of Appeals for the District of Columbia, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is ordered and adjudged by this Court that the judgment of the said United States Court of Appeals, in this cause, be, and the same is hereby, affirmed; and that this cause be, and the same is hereby, remanded to the District Court of the United States for the District of Columbia.

Per Mr. Justice Douglas.

The Chief Justice took no part in the consideration or decision of this case.

Al Williams and Al Williams Health System of Los Angeles, Inc.,

Petitioners,

vs.

Michael J. Panning, Individually and as Postmaster of the City of Los Angeles, California.

On writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit.

47

THIS CAUSE came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Ninth Circuit, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is ordered and adjudged by this Court that the judgment of the said United States Circuit Court of Appeals, in this cause, be, and the same is hereby, reversed; and that this cause be, and the same is hereby, remanded to the District Court of the United States for the Southern District of California for further proceedings in conformity with the opinion of this Court.

Per Mr. Justice Douglas.

Dissenting: The Chief Justice and Mr. Justice Burton.

Silesian American Corporation, Debtor, and Silesian Holding Company,

Petitioners,

6 vs.

Tom C. Clark, Attorney General, as Successor to the Alien Property Custodian.

On writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

THIS CAUSE came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Second Circuit, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is ordered and adjudged by this Court that the judgment of the said United States Circuit Court of Appeals, in this cause, be, and the same is hereby, affirmed; and that this cause be, and the same is hereby, remanded to the District Court of the United States for the Southern District of New York.

Per Mr. Justice Reed.

The Chief Justice took no part in the consideration or decision of this case.

Eddie (Buster) Patton,

Petitioner,

122 vs.

State of Mississippi.

On writ of certiorari to the Supreme Court of the State of Misaissippi.

THIS CAUSE came on to be heard on the transcript of the record from the Supreme Court of the State of Mississippi, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is ordered and adjudged by this Court that the judgment of the said Supreme Court, in this cause, be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the Supreme Court for proceedings not inconsistent with the opinion of this Court.

Per Mr. Justice Black.

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The Chief Justice announced the following orders of the Court:

Hazel Park Non-Partisan Taxpayers Association, et al.,

Appellants,

vs.

Township of Royal Oak, et al.

Appeal from the Supreme Court of the State of Michigan.

413

THIS CAUSE came on to be heard on the transcript of the record from the Supreme Court of the State of Michigan, and on motion to dismiss or affirm, which was duly submitted.

ON CONSIDERATION WHEREOF, It is now here ordered by this Court that the motion to dismiss the appeal herein be, and the same is hereby, granted.

IT IS FURTHER ORDERED that the appeal herein be, and the same is hereby, dismissed for the want of a substantial federal question.

Per Mr. Chief Justice Vinson.

City of Ferndale, a Michigan Municipal Corporation,

Appellant,

vs.

Hazel Park Non-Partisan Taxpayers Association, et al.

Appeal from the Supreme Court of the State of Michigan.

424

THIS CAUSE came on to be heard on the transcript of the record from the Supreme Court of the State of Michigan, and on motion to dismiss or affirm, which was duly submitted.

ON CONSIDERATION WHEREOF, It is now here ordered by this Court that the motion to dismiss the appeal herein be, and the same is hereby, granted.

IT IS FURTHER ORDERED that the appeal herein be, and the same is hereby, dismissed for the want of a substantial federal question.

Per Mr. Chief Justice Vinson.

Traffic Telephone Worker's Federation of New Jersey, etc., et al.,

Appellants,

438 vs.

Alfred Driscoll, Governor of the State of New Jersey, et al.

Appeal from the District Court of the United States for the District of New Jersey.

THIS CAUSE came on to be heard on the transcript of the record from the District Court of the United States for the District of New Jersey, and was duly submitted.

ON CONSIDERATION WHEREOF, It is ordered by this Court that the appeal herein be, and the same is hereby, dismissed for the want of jurisdiction.

Per Mr. Chief Justice Vinson.

Dissenting: Mr. Justice Black and Mr. Justice Reed.

Ex Parte Traffic Telephone Workers' Federation of New Jersey, etc., et al.,

Petitioners.

172, Misc.

ON CONSIDERATION of the motion for leave to file a petition for writ of mandamus or in the alternative a petition for writ of certiorari herein,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Black and Mr. Justice Reed are of the opinion the motion for leave to file should be granted.

National Labor Relations Board,

Petitioner,

9 vs.

Keystone Steel & Wire Company and Independent Steel Workers Alliance.

On writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit.

It appearing to the Court that counsel have filed a joint motion and stipulation that a mandate issue to the Circuit Court of Appeals directing that court to modify its judgment in the form agreed upon in the stipulation,

On consideration thereof, it is ordered that the judgment of the Circuit Court of Appeals in this cause be, and the same is hereby, vacated; and that this cause be, and the same is hereby, remanded to the Circuit Court of Appeals for consideration of the stipulation.

Per Mr. Chief Justice Vinson.

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The Chief Justice said:

"The other orders of the Court appear upon the list certified by the Chief Justice and filed with the Clerk and will not be announced orally."

Joseph White Musser, Guy W. Musser, Charles Frederick Zitting, et al.,

Appellants,

60 vs.

The State of Utah.

The case is ordered restored to the docket for reargument limited to the question whether the statute involved is unconstitutional because of vagueness, indefiniteness, or uncertainty. The case is transferred to the summary docket.

Per Mr. Chief Justice Vinson.

Schine Chain Theatres, Inc., et al.,

Appellants,

vs.

The United States of America.

ON CONSIDERATION of the motion for leave to file brief of Lawrence J. Carkey and others as amici curiae herein,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, granted.

Per Mr. Chief Justice Vinson.

Neptune Meter Company,

Petitioner,

vs.

National Labor Relations Board;

Neptune Meter Company,

Petitioner,

vs.

National Labor Relations Board; and

Independent Employees Association of the Neptune Meter Company,

Petitioner,

vs.

National Labor Relations Board.

ON CONSIDERATION of the motion of the respondent to defer consideration of the supplemental brief in support of the petition for writ of certiorari in Nos. 19 and 20 until after January 15, 1948, with leave to file a reply on or before that date,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, granted.

Per Mr. Chief Justice Vinson.

J. D. Shelley, Ethel Lee Shelley, His Wife, et al.,

Petitioners,

72 vs.

Louis Kraemer and Fern Kraemer, His Wife;

Orsel McGhee and Minnie S. McGhee, His Wife,

Petitioners,

87 vs.

Benjamin J. Sipes and Anna C. Sipes, et al.;

James M. Hurd and Mary I. Hurd,

Petitioners,

290 vs.

Frederic E. Hodge, et al.; and

Raphael G. Urciolo, Robert H. Rowe, et al.,

Petitioners,

291 vs.

Frederic E. Hodge, et al.

ON CONSIDERATION of the motion of Indian Citizens League of California, Inc., for leave to file brief as amicus curiae in this case,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, granted.

Per Mr. Chief Justice Vinson.

Robert Sealfon,

Petitioner,

174 vs.

The United States of America.

ON CONSIDERATION of the motion of Robert T. McCracken for leave to withdraw his appearance as counsel for the petitioner in this case,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, granted.

Per Mr. Chief Justice Vinson.

Paul Knauer,

Petitioner,

510 O.T. '45 vs.

The United States of America.

ON CONSIDERATION of the petition for leave to file a petition in the nature of a Bill of Review in the District Court or, in the alternative, in the Circuit Court of Appeals;

IT IS ORDERED by this Court that the said petition be, and it is hereby, denied.

Per Mr. Chief Justice Vinson.

Roy Cole and Louis Jones, Order allowing certiorari.

Petitioner,

373 vs.

State of Arkansas.

The petition herein for a writ of certiorari to the Supreme Court of the State of Arkansas is granted.

And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

Jackie Packer Francis, a Minor, et al., etc., Order allowing certiorari.

Petitioners,

400 vs.

Southern Pacific Company.

The petition herein for a writ of certiorari to the United States Circuit Court of Appeals for the Tenth Circuit is granted.

And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

The United States of America, Order allowing certiorari.

Petitioner,

432 vs.

Tillie Zazove.

The petition herein for a writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit is granted.

And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

Frank R. Creedon, Housing Expediter, Order allowing certiorari.
Office of Housing Expediter,

Petitioner,

392 vs.

Charles Stone.

The petition herein for a writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit is granted, limited to the question as to the statute of limitations presented by the petition for the writ. The case is transferred to the summary docket.

And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

Aaron L. Biltchik, et al., Individually and as Holders of Class B Debentures of Green Bay and Western Railroad Company, etc., On petition for writ of certiorari to the Supreme Court of the State of Wisconsin.

Petitioners,

196 vs.

Green Bay & Western Railroad Company, a Wisconsin Corporation, et al.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of Wisconsin, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mrs. John B. Edmonson,

Petitioner,

287- vs.

G. M. McWilliams, Trustee in Bankruptcy of F. T. Newton and Mrs. F. T. Newton.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Fifth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Addison Miller, Inc., and Fielding & Shepley, Inc.,

Petitioners,

385 vs.

The United States.

On petition for writ of certiorari to The Court of Claims.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Court of Claims and of the argument of counsel thereupon had, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Manufacturers Trust Company, Indenture, Trustee,

Petitioner,

405 vs.

Realty Associates Securities Corporation, et al.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Second Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Edwin B. Meredith, et al., as Members of the Bondholders' Protective Committee,

Petitioners,

406 vs.

Realty Associates Securities Corporation, et al.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Second Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Vanneck Realty Corporation,

Petitioner,

407 vs.

Realty Associates Securities Corporation, Debtor, et al.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Second Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

George E. Eddy and Samuel Silbiger,

Petitioners,

409 vs.

Lulu R. Kelby, as Executrix of the Last Will and Testament of Charles H. Kelby, Deceased, et al.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Second Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Turner Dairy Company, Petitioner, vs. The United States of America. — On petition for writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit.

412

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Seventh Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Friedrich Wilhelm Kuehn, Petitioner, vs. The United States of America. — On petition for writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit.

416

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Ninth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

The Aviation Club of Utah, Petitioner, vs. Commissioner of Internal Revenue. — On petition for writ of certiorari to the United States Circuit Court of Appeals for the Tenth Circuit.

418

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Tenth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

P. W. Woolworth Co., and Nips, Inc., Petitioners,
419 vs.
Guerlain, Inc.

On petition for writ of certiorari to the Court of Appeals of the State of New York.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Court of Appeals of the State of New York, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mario Mercado E. Hijos, Petitioner,
422 vs.
Clinton P. Anderson, Secretary of Agriculture, United States Department of Agriculture.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the First Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the First Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Etta S. Asbell, Petitioner,
434 vs.
The Mutual Life Insurance Company of New York.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Fourth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Etta S. Asbell,

Petitioner,

435 vs.

The Travelers Protective Association of America.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Fourth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

James Watson, et al., Designated Herein as First Preferred Stockholders,

Petitioners,

387 vs.

Portland Electric Power Company, a Corporation, Debtor, et al.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Ninth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

James Watson, et al., Designated Herein as First Preferred Stockholders,

Petitioners,

388 vs.

Portland Electric Power Company, a Corporation, Debtor, et al.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Ninth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

The United States of America, ex rel.
Julius Kessler and Martha J. Kessler,

Petitioners,

414 vs.

W. Frank Watkins, as District Director of
Immigration and Naturalization, etc.

ON CONSIDERATION of the motion to dispense with the printing of the petition, brief, and record in this case,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, granted.

Per Mr. Chief Justice Vinson.

The United States of America, ex rel.
Julius Kessler and Martha J. Kessler,

Petitioners,

414 vs.

W. Frank Watkins, as District Director of
Immigration and Naturalization of the United
States for the District of New York, etc.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Second Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Henry Coger,

Petitioner,

92 vs.

People of the State of New York.

On petition for writ of certiorari to the County Court of Queens County, State of New York.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Thomas Bullitt Dixon,

Petitioner,

170 vs.

American Telephone and Telegraph Company, et al.

ON CONSIDERATION of the motion for leave to file a petition for rehearing and of the petition for rehearing in this case,

IT IS ORDERED by this Court that the motion for leave to file be, and it is hereby, granted, and that the petition for rehearing be, and it is hereby, denied.

Per Mr. Chief Justice Vinson.

Stimson Mill Company,

Petitioner,

395 vs.

Commissioner of Internal Revenue.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Patrick Flaherty,

Petitioner,

1455 O.T. '46 vs.

The People of the State of Illinois.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Bernard M. Shotkin, et al.,

Petitioners,

139, Misc. vs.

Thomas A. Edison, Inc.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Edward Smith,

Petitioner,

142, Misc. vs.

Ralph W. Howard, Warden.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

J. P. Bowery,

Petitioner,

86, Misc. vs.

Hartford Accident & Indemnity Co.

On petition for writ of certiorari to the Supreme Court of the State of Missouri.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Garnet W. Green, Petitioner, vs. L. C. Schilder, Warden. 92, Misc.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Tenth Circuit.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

William Anderson, Petitioner, vs. Official Shorthand Reporter of the Criminal Court of Cook County, Illinois. 124, Misc.

On petition for writ of certiorari to the Supreme Court of the State of Illinois.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Albert Lane, Petitioner, vs. C. S. Smith Metropolitan Market Co. 144, Misc.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Harry Meyers, Petitioner, vs. Joseph E. Ragen, Warden.

173, Misc.

On petition for writ of certiorari to the Criminal Court of Cook County, State of Illinois.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Charles W. Dodson, Petitioner, vs. Joseph E. Ragen, Warden.

174, Misc.

On petition for writ of certiorari to the Circuit Court of Lake County, State of Illinois.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Eddie Kirkrand, Petitioner, vs. People of the State of Illinois.

177, Misc.

On petition for writ of certiorari to the Supreme Court of the State of Illinois.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

John O. Story,

Petitioner,

179, Misc. vs.

People of the State of Oklahoma.

On petition for writ of certiorari to the Criminal Court of Appeals of the State of Oklahoma.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

John Romano,

Petitioner,

182, Misc. vs.

People of the State of New York.

On petition for writ of certiorari to the Appellate Division of the Supreme Court of New York, Second Department.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Frederick E. Bauer,

Petitioner,

81, Misc. vs.

Tom C. Clark, Attorney General, et al.

On petition for writs of certiorari to the United States Circuit Court of Appeals for the Second Circuit and the United States Circuit Court of Appeals for the Seventh Circuit.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writs of certiorari, it is ordered that the motion to proceed in forma pauperis be, and it is hereby, denied for the reason that the Court, upon examination of the papers herein submitted, finds no ground upon which a writ of certiorari should be granted. The petition for writs of certiorari is therefore, also denied.

Per Mr. Chief Justice Vinson.

Albert R. House,

Petitioner,

111, Misc. vs.

Nathan Mayo, as Custodian of Florida State Prison.

On petition for writ of certiorari to the Supreme Court of the State of Florida.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Albert R. House,

Petitioner,

111, Misc. vs.

Nathan Mayo, as Custodian of Florida State Prison.

ON CONSIDERATION of the motion for leave to file a petition for writ of habeas corpus herein,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Hartzell William Lemons,

Petitioner,

101, Misc. vs.

Honorable Walter A. Huxman, District Judge.

ON CONSIDERATION of the motion for leave to file a petition for writ of quo warranto herein,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Frank Moriconi,

Petitioner,

178, Misc. vs.

Ralph E. Benson, Warden.

ON CONSIDERATION of the application submitted herein by Frank Moriconi,

IT IS ORDERED by this Court that the said application be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

John M. Holzworth,

Petitioner,

181, Misc. vs.

Donald Clemmer, Director.

ON CONSIDERATION of the motion for leave to file a petition for writ of habeas corpus herein,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Charles Cummins,

Petitioner,

187, Misc. vs.

Walter Nierstheimer, Warden.

ON CONSIDERATION of the motion for leave to file a petition for writ of habeas corpus herein,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Earl H. Pillsbury,

Petitioner,

193, Misc. vs.

Attorney General of the United States.

ON CONSIDERATION of the motion for leave to file a petition for writ of mandamus herein,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Sidney J. Thompson,

Petitioner,

197, Misc. vs.

Dr. M. J. Pescor, Warden.

ON CONSIDERATION of the motion for leave to file a petition for writ of certiorari in this case,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

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People of the State of Illinois, ex rel.
Vashti McCollum,

Appellant,

90 vs.

Board of Education of School District
No. 71, Champaign County, Illinois, et al.

ON CONSIDERATION of the motion of General Conference of Seventh Day Adventists submitted by Mr. William D. Donnelly for leave to file brief as amicus curiae in this case,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, granted.

Per Mr. Chief Justice Vinson.

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Lawrence Dyer,

Appellant,

275 vs.

City Council of the City of Beloit, Rock County, Wisconsin, et al.

Submitted by Mr. Claude D. Stout for the appellant, and by Mr. J. Arthur Moran for the appellees.

People of the State of Illinois, ex rel. Vashti McCollum,

Appellant,

90 vs.

Board of Education of School District No. 71, Champaign County, Illinois, et al.

Argument commenced by Mr. Walter F. Dodd for the appellant; continued by Mr. John L. Franklin and Mr. Owen Rall for the appellees; by Mr. Walter F. Dodd for the appellant, and concluded by Mr. Edward R. Burke for the appellant. Leave granted each side to reply to amici curiae briefs, if so advised.

Memphis Natural Gas Company,

Petitioner,

94 vs.

A. H. Stone, Chairman, State Tax Commission of Mississippi.

Argued by Mr. Edward P. Russell for the petitioner, and by Mr. J. H. Sumrall for the respondent.

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Proclamation being made the Court is adjourned until tomorrow at 12 o'clock.

TUESDAY, DECEMBER 9, 1947.

Pursuant to adjournment the Court met at the Supreme Court Building.

PRESENT:

The Honorable Fred M. Vinson, Chief Justice,
Hugo L. Black,
Stanley Reed,
Felix Frankfurter,
William O. Douglas,
Robert H. Jackson,
Wiley Rutledge,
Harold H. Burton. Associate Justices.

Thomas Ennalls Waggaman, Esquire, Marshal,

Charles Elmore Cropley, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Lloyd Thurston, It is ordered that Ernest Porter, Esquire, of Des Moines, State of Iowa, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Alfred E. LoPresti, It is ordered that Roy C. Papalia, Esquire, of Watertown, Commonwealth of Massachusetts, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. John E. Lyle, Jr., It is ordered that Charles G. Lyman, Esquire, of Corpus Christi, State of Texas; John McIntosh, Esquire, of Detroit, State of Michigan; and Falco R. Picone, Esquire, of Detroit, State of Michigan, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

MONDAY, NOVEMBER 21, 1949

No. —. In the Matter of Frank Ronald Picone. The motion to amend the attorney roll to show a change of name of Falco R. Picone to Frank Ronald Picone is granted. Mr. Justice Douglas took no part in the consideration or decision of this application.

On motion first made to the Court in this behalf by Mr. Edmond W. Dillon, It is ordered that P. Dean Rainey, Esquire, of Greenville, State of South Carolina, and Clement Furman Haynsworth, Jr., Esquire, of Greenville, State of South Carolina, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. John William Guider, It is ordered that Edward Bennett Williams, Esquire, of Washington, District of Columbia, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Simon E. Sobeloff, It is ordered that Rubin Gertz, Esquire, of Baltimore, State of Maryland, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Ashley Sellers, It is ordered that George O. Bahrs, Esquire, of San Francisco, State of California, and Raymond S. Smethurst, Esquire, of Washington, District of Columbia, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mrs. Margaret Austin Haywood, It is ordered that James C. Newton, Esquire, of Washington, District of Columbia, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Joseph Forer, It is ordered that Samuel Richard Hurtman, Esquire, of Philadelphia, Commonwealth of Pennsylvania, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

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Marriner S. Eccles, Ronald Ransom,
M. S. Szymczak, et al.,

Petitioners,

101 vs.

Peoples Bank of Lakewood Village, California.

Argued by Mr. J. Leonard Townsend for the petitioners, and by Mr. Samuel B. Stewart, Jr., for the respondent.

The United States of America,

Petitioner,

121 vs.

Jordan James Sullivan, Trading as Sullivan's Pharmacy.

Argued by Mr. Robert L. Stern for the petitioner, and by Mr. Robert M. Arnold and Mr. J. Madden Hatcher for the respondent.

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Proclamation being made the Court is adjourned until tomorrow at 12 o'clock.

Pursuant to adjournment the Court met at the Supreme Court Building.

PRESENT:

The Honorable Fred M. Vinson, Chief Justice,
Hugo L. Black,
Stanley Reed,
Felix Frankfurter,
William O. Douglas,
Robert H. Jackson,
Wiley Rutledge,
Harold H. Burton,
Associate Justices.
Thomas Ennalls Waggaman, Esquire, Marshal,
Charles Elmore Cropley, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Hyman Smollar, It is ordered that Carl William Berueffy, Esquire, of Washington, District of Columbia, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Jesse W. Boyd, It is ordered that Harvey W. Johnson, Esquire, of Spartansburg, State of South Carolina, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. William G. Stigler, It is ordered that F. N. Shoemake, Esquire, of Muskogee, State of Oklahoma, and Harold Shoemake, Esquire, of Muskogee, State of Oklahoma, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. James J. Lenihan, It is ordered that John V. Higgins, Esquire, of New York, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Edwin Leroy Bright, It is ordered that David R. White, Esquire, of Arlington, Commonwealth of Virginia, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

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Robert C. Johnson,

Petitioner,

138 vs.

The United States of America.

Argued by Mr. Silas B. Axtell and Mr. David A. Fall for the petitioner, and by Mr. Samuel D. Slade for the respondent.

Commonwealth of Massachusetts, et al.,

Petitioners,

157 vs.

The United States of America.

Argument commenced by Mr. Alfred E. LoPresti for the petitioners; continued by Mr. Albert E. Mallett for the State of Illinois as amicus curiae by special leave of Court, and concluded by Miss Helen Goodner for the respondent.

Mary Bell King,

Petitioner,

171 vs.

The Order of United Commercial Travelers of America.

Argument commenced by Mr. Harvey W. Johnson for the petitioner, and continued by Mr. Jesse W. Boyd for the petitioner.

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Proclamation being made the Court is adjourned until tomorrow at 12 o'clock.

Pursuant to adjournment the Court met at the Supreme Court Building.

PRESENT:

The Honorable Fred M. Vinson, Chief Justice,
Hugo L. Black,
Stanley Reed,
Felix Frankfurter,
William O. Douglas, Associate Justices.
Robert H. Jackson,
Wiley Rutledge,
Harold H. Burton.
Thomas Ennalls Waggaman, Esquire, Marshal,
Charles Elmore Cropley, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. John J. Allen, Jr., It is ordered that Richard Earle Dillon, Esquire, of Oakland, State of California, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Marion T. Bennett, It is ordered that Vance Julian, Esquire, of Clinton, State of Missouri, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Joseph Forer, It is ordered that Samuel A. Neuberger, Esquire, of New York, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Monte Appel, It is ordered that John James Trenam, Esquire, of Washington, District of Columbia, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Philip Goldstein, It is ordered that Dorothy Volner, of Cleveland, State of Ohio, be admitted to practice as an Attorney and Counsellor of this Court, and she was sworn accordingly. (Miss)

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Mary Bell King,

Petitioner,

171 vs.

The Order of United Commercial Travelers of America.

Argument continued by Mr. Jesse W. Boyd for the petitioner; by Mr. C. F. Haynsworth for the respondent, and concluded by Mr. H. W. Dillon for the respondent.

Robert Sealfon,

Petitioner,

174 vs.

The United States of America.

Argued by Mr. John J. Wilson for the petitioner and by Mr. W. Marvin Smith for the respondent.

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Proclamation being made the Court is adjourned until Monday, December 15, next, at 12 o'clock.

Pursuant to adjournment the Court met at the Supreme Court Building.

PRESENT:

The Honorable Fred M. Vinson, Chief Justice,
Hugo L. Black,
Felix Frankfurter,
William O. Douglas,
Robert H. Jackson,
Wiley Rutledge,
Harold H. Burton. Associate Justices.

Thomas Ennalls Waggaman, Esquire, Marshal,

Charles Elmore Cropley, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. S. F. Hobbs, It is ordered that Earl McBee, Esquire, of Birmingham, State of Alabama, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. William W. Arnold, It is ordered that Edward L. Hynes, 2d, Esquire, of Robinson, State of Illinois, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Herschel A. Hollopeter, It is ordered that Freeman Bradford, Esquire, of Indianapolis, State of Indiana, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Solicitor General Philip B. Perlman, It is ordered that Joseph Zwerdling, Esquire, of Ann Arbor, State of Michigan, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Richard F. Harless, It is ordered that W. Francis Wilson, Esquire, of Phoenix, State of Arizona, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Aaron L. Ford, It is ordered that John H. Hollomon, Esquire, of Columbus, State of Mississippi, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Ellis Bell Miller, It is ordered that H. Harold Leavey, Esquire, of Sacramento, State of California, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. H. Fred Martin, Jr., It is ordered that David Grant Macdonald, Esquire, of Washington, District of Columbia, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Walter H. E. Jaeger, It is ordered that Joseph Marshall Mathias, Esquire, of Hyattsville, State of Maryland, and Walter H. Moorman, Esquire, of Bethesda, State of Maryland, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. David Hammerman, It is ordered that Herman M. Levy, Esquire, of New Haven, State of Connecticut, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Samuel W. McIntosh, It is ordered that Edythe Jacobs, of Los Angeles, State of California, be admitted to practice as an Attorney and Counsellor of this Court, and she was sworn accordingly. (Miss)

On motion first made to the Court in this behalf by Mr. Albert E. Steinen, It is ordered that Abram A. Golden, Esquire, of Newark, State of New Jersey, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Gerald H. Gilman, It is ordered that Eugene W. DuFlocq, Esquire, of New York, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

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Panhandle Eastern Pipe Line Company, Appellant, vs. The Public Service Commission of Indiana, et al. 69

Appeal from the Supreme Court of the State of Indiana.

THIS CAUSE came on to be heard on the transcript of the record from the Supreme Court of the State of Indiana, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court, in this cause, be, and the same is hereby, affirmed with costs.

Per Mr. Justice Rutledge.

Mr. Justice Jackson concurs in the result.

Mr. Justice Murphy took no part in the consideration or decision of this case.

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The Chief Justice announced the following order of the Court:

Edward G. Budd Manufacturing Company, Petitioner, vs. National Labor Relations Board. 301

ON CONSIDERATION of the motion of the Foreman's Association of America for leave to intervene as a party respondent in this case,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, granted.

Per Mr. Chief Justice Vinson.

Edward G. Budd Manufacturing Company, Petitioner, vs. National Labor Relations Board. Order allowing certiorari.

301

The petition herein for a writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit is granted, limited to the question of the validity of that part of the order of the National Labor Relations Board which directs the petitioner to cease and desist from discouraging membership in the Foreman's Association of America.

And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

Edward G. Budd Manufacturing Company, Petitioner, vs. National Labor Relations Board. On writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit.

301

THIS CAUSE came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Sixth Circuit, and was duly submitted.

ON CONSIDERATION WHEREOF, It is ordered and adjudged by this Court that the portion of the decree of the said Circuit Court of Appeals which requires petitioner to cease and desist from discouraging membership in the Foreman's Association of America, be, and it is hereby, vacated; and that this cause be, and it is hereby, remanded to the said Circuit Court of Appeals for consideration of the effect of the Labor Management Relations Act of 1947, Public Law 101, 80th Congress, 1st Session, Chapter 120, on the question to which the grant of certiorari is limited.

Per Mr. Chief Justice Vinson.

The Chief Justice said:

"The other orders of the Court appear upon the list certified by the Chief Justice and filed with the Clerk and will not be announced orally."

National Labor Relations Board,

Petitioner,

9 vs.

Keystone Steel & Wire Company and
Independent Steel Workers Alliance.

ON CONSIDERATION of the joint motion of the parties that the mandate in this case issue forthwith,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, granted and that the mandate issue forthwith.

Per Mr. Chief Justice Vinson.

Robert E. Hannegan, Individually and
as Postmaster General of the United
States,

Petitioner,

50 vs.

Read Magazine, Inc., et al.

ON CONSIDERATION of the motion of the Solicitor General of the United States to substitute Jesse M. Donaldson, Acting Postmaster General, as the party petitioner herein, in place of Robert E. Hannegan, resigned,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, granted and that the cause be so continued and maintained.

Per Mr. Chief Justice Vinson.

Wesley William Cox,

Petitioner,

66 vs.

The United States of America;

Theodore Romaine Thompson,

Petitioner,

67 vs.

The United States of America; and

Wilbur Roisum,

Petitioner,

68 vs.

The United States of America.

ON CONSIDERATION of the motion of the petitioners for an extension of time within which to file a petition for rehearing and to stay the mandates pending consideration of the petition for rehearing,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, granted and the time is extended to December 30, 1947.

Per Mr. Chief Justice Vinson.

People of the State of Illinois, ex rel. Vashti McCollum,

Appellant,

90 vs.

Board of Education of School District No. 71, Champaign County, Illinois, et al.

ON CONSIDERATION of the motion of Hazel Franklin Lewis for leave to file a brief as amicus curiae in this case,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, denied. Rule 27, paragraph 9.

Per Mr. Chief Justice Vinson.

Robert Sealfon,

Petitioner,

174 vs.

The United States of America.

ON CONSIDERATION of the motion for leave to withdraw the appearances of Lemuel B. Schofield and Thomas D. McBride as counsel for the petitioner in this case,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, granted.

Per Mr. Chief Justice Vinson.

Globe Liquor Company, Inc.,

Petitioner,

205 vs.

Frank Sam Roman, et al., Doing Business, etc.

ON CONSIDERATION of the motion to remove this case from the summary docket,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Joseph Estin,

Petitioner,

139 vs.

Gertrude Estin.

On petition for writ of certiorari to the Court of Appeals of the State of New York.

A motion for leave to file a petition for rehearing and petition for rehearing having been submitted in this case;

Upon consideration thereof, it is ordered by this Court that the motion for leave to file and petition for rehearing be, and they are hereby, granted.

It is further ordered that the order entered October 13, 1947, denying the petition for certiorari be, and it is hereby, vacated; and that the petition for writ of certiorari herein be, and it is hereby, granted. The case is consolidated for argument with Kreiger vs. Kreiger, No. 371, and a total of three hours is allowed for oral argument of the consolidated cases.

It is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

John Henry Brunson, Order allowing certiorari.

Petitioner,

292 vs.

State of North Carolina.

The petition herein for a writ of certiorari to the Supreme Court of the State of North Carolina is granted, and the case is transferred to the summary docket.

And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

Essie King, Order allowing certiorari.

Petitioner,

293 vs.

State of North Carolina.

The petition herein for a writ of certiorari to the Supreme Court of the State of North Carolina is granted, and the case is transferred to the summary docket.

And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

Martha Jones, Order allowing certiorari.

Petitioner,

294 vs.

State of North Carolina.

The petition herein for a writ of certiorari to the Supreme Court of the State of North Carolina is granted, and the case is transferred to the summary docket.

And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Louise James (Alias Moore), and Evelyn Childs, — Order allowing certiorari.

Petitioners,

295 vs.

State of North Carolina.

The petition herein for a writ of certiorari to the Supreme Court of the State of North Carolina is granted, and the case is transferred to the summary docket.

And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

Lida Mae Watkins, Celia Ann Purcell, James Edward Sturdivant, et al., — Order allowing certiorari.

Petitioners,

296 vs.

State of North Carolina.

The petition herein for a writ of certiorari to the Supreme Court of the State of North Carolina is granted, and the case is transferred to the summary docket.

And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

Jack Trupiano, Romildo Riccardelli, Anthony Antoniole and Riordan J. A. Roett, Jr., — Order allowing certiorari.

Petitioners,

427 vs.

The United States of America.

The petition herein for a writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit is granted.

And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

Grand River Dam Authority, a Public Corporation,

Petitioner,

379 vs.

Grand-Hydro, a Private Corporation.

On petition for writ of certiorari to the Supreme Court of the State of Oklahoma.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of Oklahoma, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Brotherhood of Locomotive Firemen and Enginemen, Ocean Lodge No. 76, Port Norfolk Lodge No. 775, W. M. Munden,

Petitioners,

404 vs.

Tom Tunstall and Norfolk Southern Railway Company.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Fourth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Commissioner of Internal Revenue,

Petitioner,

420 vs.

F. A. Wilson, Also Known as Francis A. Wilson.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Ninth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Commissioner of Internal Revenue,
Petitioner,
421 vs.
Norbert H. Wiesler.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Sixth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

John A. Laird,
Petitioner,
440 vs.
United Shipyards, Inc., Joseph W. Powell, Hubert E. Rogers, et al.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Second Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Charles Van Glahn,
Petitioner,
89 vs.
The People of the State of New York.

On petition for writ of certiorari to the County Court of Suffolk County, State of New York.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Leo J. Lewis,

Petitioner,

117 vs.

The People of the State of New York.

On petition for writ of certiorari to the Supreme Court of the State of New York, Chemung County.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

District of Columbia,

Petitioner,

417 vs.

Clifford G. Beckham and Mabel V. Beckham.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Jackson took no part in the consideration or decision of this application.

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The Court will take a recess from Monday, December 22, until Monday, January 5, 1948.

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Schine Chain Theatres, Inc., et al.,

Appellants,

10 vs.

The United States of America.

Argued by Mr. Bruce Bromley for the appellants, and by Mr. Robert L. Wright for the appellee. Leave granted appellants to file reply brief by Wednesday.

The United States of America,

Appellants,

64 vs.

L. C. Griffith, H. J. Griffith,
Consolidated Theatres, Inc., et al.

Argued by Mr. Robert L. Wright for the appellant, and by Mr. Charles B. Cochran for the appellees.

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Proclamation being made the Court is adjourned until tomorrow at 12 o'clock.

Pursuant to adjournment the Court met at the Supreme Court Building.

PRESENT:

The Honorable Fred M. Vinson, Chief Justice,
Hugo L. Black,
Felix Frankfurter,
William O. Douglas,
Robert H. Jackson,
Wiley Rutledge,
Harold H. Burton. Associate Justices.

Thomas Ennalls Waggaman, Esquire, Marshal,

Charles Elmore Cropley, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Frederick Bernays Wiener, It is ordered that Gurney Edwards, Esquire, of Providence, State of Rhode Island, and Jay Sionim, Esquire, of New York, State of New York, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Benjamin Walter Heineman, It is ordered that Joseph D. Block, Esquire, of Chicago, State of Illinois, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Jules Gilmer Korner, Jr., It is ordered that James G. Purdy, Esquire, of New York, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Edward M. Reidy, It is ordered that Patrick J. Reilly, Jr., Esquire, of Washington, District of Columbia, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Richard B. Barker, It is ordered that Wendell A. Falsgraf, Esquire, of Cleveland, State of Ohio, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Henry Hamill Fowler, It is ordered that G. T. Owen, Jr., Esquire, of Lake Charles, State of Louisiana, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

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Homer C. Price,

Petitioner,

111 vs.

James A. Johnston, Warden, United States Penitentiary, Alcatraz, California.

Argued by Mr. Joseph L. Rauh, Jr., for the petitioner, and by Mr. Frederick Bernays Wiener for the respondent.

In re William Oliver,

Petitioner.

215.

Argument commenced by Mr. William Henry Gallagher for the petitioner; continued by Mr. Osmond K. Fraenkel for the petitioner; by Mr. Edmund E. Shepherd for the respondent, State of Michigan; and concluded by Mr. William Henry Gallagher for the petitioner.

Bob-Lo Excursion Company,

Appellant,

374 vs.

The People of the State of Michigan.

Argument commenced by Mr. Wilson W. Mills for the appellant.

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Proclamation being made the Court is adjourned until tomorrow at 12 o'clock.

WEDNESDAY, OCTOBER 17, 1947.

Pursuant to adjournment the Court met at the Supreme Court Building.

PRESENT:

The Honorable Fred M. Vinson, Chief Justice,
Hugo L. Black,
Felix Frankfurter,
William O. Douglas,
Robert H. Jackson,
Wiley Rutledge,
Harold H. Burton. Associate Justices.

Thomas Ennalls Waggaman, Esquire, Marshal,

Charles Elmore Cropley, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. John Sparkman, It is ordered that Nesbitt Elmore, Esquire, of Montgomery, State of Alabama, and George C. Hawkins, Jr., Esquire, of Gadsden, State of Alabama, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Onan A. Mydrick, It is ordered that Charles E. Hassett, Esquire, of Kansas City, State of Missouri, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Robert L. Stern, It is ordered that Maurice S. Levy, Esquire, of Chicago, State of Illinois, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

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Bob-Lo Excursion Company,

Appellant,

374 vs.

The People of the State of Michigan.

Argument continued by Mr. Wilson W. Mills for the appellant, by Mr. Edmund E. Shepherd for the appellee, and concluded by Mr. Wilson W. Mills for the appellant.

Globe Liquor Company, Inc.,

Petitioner,

205 vs.

Frank Sam Roman, et al., Doing Business Under the Firm Name and Style of International Industries.

Argued by Mr. Benjamin W. Heineman for the petitioner and by Mr. Nat M. Kahn for the respondents.

Commissioner of Internal Revenue,

Petitioner,

227 vs.

Joseph Sunnen.

Argued by Mr. Arnold Raum for the petitioner and by Mr. C. Powell Fordyce for the respondent.

Bakery Sales Drivers Local Union No. 3, an Unincorporated Association, et al.,

Petitioners,

225 vs.

A. Wagshal, Trading as "Wagshal's Delicatessen."

Argument commenced by Mr. Herbert S. Thatcher for the petitioners.

Leave granted petitioners to file reply brief by Wednesday next.

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Proclamation being made the Court is adjourned until tomorrow at 12 o'clock.

Pursuant to adjournment the Court met at the Supreme Court Building.

PRESENT:

The Honorable Fred M. Vinson, Chief Justice,
Hugo L. Black,
Stanley Reed,
Felix Frankfurter,
William O. Douglas, Associate Justices.
Robert H. Jackson,
Wiley Rutledge,
Harold H. Burton.
Thomas Ennalls Waggaman, Esquire, Marshal,
Charles Elmore Cropley, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Alvin L. Newmyer, It is ordered that Milton Rosenblum, Esquire, of Jersey City, State of New Jersey, and Nathan Braitman, Esquire, of West New York, State of New Jersey, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Ganson J. Baldwin, It is ordered that Abe Wagman, Esquire, of New York, State of New York; William A. Roe, Esquire, of New York, State of New York; and John G. Donovan, Esquire, of New York, State of New York, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Maurice R. Weeks, It is ordered that Joseph E. Dyer, Esquire, of New York, State of New York, and Hope R. Stevens, Esquire, of New York, State of New York, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. James Louis Robertson, It is ordered that Charles C. MacLean, Jr., Esquire, of New York, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

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Trust Under Agreement Dated December 30, 1921, by John E. Andrus, Deceased, et al.,

Petitioners,

408 vs.

Commissioner of Internal Revenue.

ON CONSIDERATION of the motion for an extension of time within which to file a petition for rehearing in this case,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

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Bakery Sales Drivers Local Union No. 3, an Unincorporated Association, et al.,

Petitioners,

225 vs.

A. Wagshal, Trading as "Wagshal's Delicatessen."

Argument continued by Mr. Herbert S. Thatcher for the petitioners; by Mr. William E. Leahy for the respondent, and concluded by Mr. Herbert S. Thatcher for the petitioners.

Mrs. Aba Badger Suttle, Widow of John G. Suttle, Individually and as Administratrix of the Estate of John G. Suttle, Deceased,

Petitioner,

214 vs.

Reich Bros. Construction Co., et al.

Argument commenced by Mr. Charles P. Engle for the petitioner; continued by Mr. George T. Owen, Jr., for the respondents, and concluded by Mr. John D. Miller for the petitioner.

Anne Johnson,

Petitioner,

329 vs.

The United States of America.

Argued by Mr. James Skelly Wright for the petitioner, and by Mr. Robert Erdahl for the respondent.

Rudy E. Callen,

Petitioner,

331 vs.

Pennsylvania Railroad Company.

Leave granted Mr. B. Nathaniel Richter to appear and present oral argument for the petitioner pro hac vice on motion of Mr. Irving S. Shapiro in that behalf. Argued by Mr. B. Nathaniel Richter for the petitioner, pro hac vice, by special leave of Court, and by Mr. Philip Price for the respondent.

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Proclamation being made the Court is adjourned until tomorrow at 12 o'clock.

Pursuant to adjournment the Court met at the Supreme Court Building.

PRESENT:

The Honorable Fred M. Vinson, Chief Justice,
Hugo L. Black,
Stanley Reed,
Felix Frankfurter,
William O. Douglas,
Robert H. Jackson,
Wiley Rutledge,
Harold H. Burton. Associate Justices.

Thomas Ennalls Waggaman, Esquire, Marshal,

Charles Elmore Cropley, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Herbert R. O'Conor, It is ordered that Saul Gurvitz, Esquire, of Boston, Commonwealth of Massachusetts, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Ester Hofauver, It is ordered that William G. Brown, Esquire, of Chattanooga, State of Tennessee, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Ray W. Medrow, It is ordered that Murray A. Laiks, Esquire, of Passaic, State of New Jersey, and Paul G. DeMuro, Esquire, of Passaic, State of New Jersey, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Albert Brick, It is ordered that Fuller Warren, Esquire, of Jacksonville, State of Florida, and A. H. Rothstein, Esquire, of Jacksonville, State of Florida, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Buist M. Anderson, It is ordered that Robert Victor Mann, Esquire, of Boston, Commonwealth of Massachusetts, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Raymond C. Cushwa, It is ordered that Lloyd M. McBride, Esquire, of Chicago, State of Illinois, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

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The Connecticut Mutual Life Insurance Company, et al.,

Appellants,

337 vs.

Frank C. Moore, Comptroller of the State of New York.

Argued by Mr. Ganson J. Baldwin and Mr. Buist Murfee Anderson for the appellants and by Mr. Abe Wagman for the appellee.

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Proclamation being made the Court is adjourned until Monday, December 22, next, at 12 o'clock.

Pursuant to adjournment the Court met at the Supreme Court Building.

PRESENT:

The Honorable Fred M. Vinson, Chief Justice,
Hugo L. Black,
Stanley Reed,
Felix Frankfurter,
William O. Douglas,
Frank Murphy,
Robert H. Jackson,
Wiley Rutledge,
Harold H. Burton,
Associate Justices.

Thomas Ennalls Waggaman, Esquire, Marshal,

Charles Elmore Cropley, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Frederick Bernays Wiener, It is ordered that Frank N. Jess, Esquire, of Haddon Heights, State of New Jersey, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Joseph H. Proehlt, It is ordered that Harold Clark Osborn, Esquire, of Suffern, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Patrick M. Kildea, It is ordered that John A. Loomis, Esquire, of Huntington Park, State of California, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Robert Stuart Erdahl, It is ordered that Robert C. Bell, Jr., Esquire, of Stamford, State of Connecticut, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

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Harry Blumenthal,

Petitioner,

54 vs.

The United States of America;

Lawrence B. Goldsmith,

Petitioner,

55 vs.

The United States of America;

Samuel S. Weiss,

Petitioner,

56 vs.

The United States of America; and

Albert Feigenbaum,

Petitioner,

57 vs.

The United States of America.

On writs of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit.

THIS CAUSE came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Ninth Circuit, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is ordered and adjudged by this Court that the judgment of the said United States Circuit Court of Appeals, in this cause, be, and the same is hereby, affirmed; and that this cause be, and the same is hereby, remanded to the District Court of the United States for the Northern District of California.

Per Mr. Justice Rutledge.

Mr. Justice Douglas concurs in the result.

H. C. Jones, Collector of Internal Revenue,
Petitioner,
vs.
The Liberty Glass Company.

On writ of certiorari to the United States Circuit Court of Appeals for the Tenth Circuit.

71

THIS CAUSE came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Tenth Circuit, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is ordered and adjudged by this Court that the judgment of the said United States Circuit Court of Appeals, in this cause, be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the District Court of the United States for the Western District of Oklahoma for proceedings in conformity with the opinion of this Court.

Per Mr. Justice Murphy.

Dissenting: Mr. Justice Douglas.

Giles Kavanagh, Collector of Internal Revenue,
Petitioner,
vs.
J. M. Noble.

On writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit.

70

THIS CAUSE came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Sixth Circuit, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is ordered and adjudged by this Court that the judgment of the said United States Circuit Court of Appeals, in this cause, be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the District Court of the United States for the Eastern District of Michigan for proceedings in conformity with the opinion of this Court.

Per Mr. Justice Murphy.

Dissenting: Mr. Justice Douglas.

Tony Marino,

Petitioner,

93 vs.

Joseph E. Ragen, Warden, Illinois State Penitentiary, Joliet, Illinois.

On petition for writ of certiorari to the Circuit Court of Winnebago County, State of Illinois.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, granted.

Per Mr. Chief Justice Vinson.

Tony Marino,

Petitioner,

93 vs.

Joseph E. Ragen, Warden, Illinois State Penitentiary, Joliet, Illinois.

On writ of certiorari to the Circuit Court of Winnebago County, State of Illinois.

THIS CAUSE came on to be heard on the transcript of the record from the Circuit Court of Winnebago County, State of Illinois, and on the confession of error of the State of Illinois, which was duly submitted.

ON CONSIDERATION WHEREOF, It is ordered and adjudged by this Court that the judgment of the said Circuit Court, in this cause, be, and the same is hereby, vacated with costs; and that this cause be, and the same is hereby, remanded to the Circuit Court of Winnebago County for appropriate proceedings in the light of the confession of error filed by the Attorney General of the State of Illinois.

Per Mr. Chief Justice Vinson.

Concurring opinion by Mr. Justice Rutledge in which Mr. Justice Douglas and Mr. Justice Murphy join.

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The Chief Justice said:

"The orders of the Court appear upon the list certified by the Chief Justice and filed with the Clerk and will not be announced orally."

The United States of America,

Appellant,

79 vs.

Paramount Pictures, Inc., et al.

ON CONSIDERATION of the motions of Society of Independent Motion Picture Producers and Conference of Independent Exhibitors' Associations for leave to file briefs as amicus curiae in this case,

IT IS ORDERED by this Court that the said motions be, and the same are hereby, granted.

Per Mr. Chief Justice Vinson.

John Richardson,

Petitioner,

66, Misc. vs.

Joseph E. Ragen, Warden.

ON CONSIDERATION of the motion of the respondent to defer consideration of the petition for writ of certiorari in this case,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, granted.

Per Mr. Chief Justice Vinson.

The United States of America,

Appellant,

461 vs.

Columbia Steel Company, et al.

The statement of jurisdiction in this case having been submitted and considered by the Court, probable jurisdiction is noted.

Per Mr. Chief Justice Vinson.

Tomoteo Mariano Andres, Petitioner,

431 vs.

The United States of America.

Order allowing certiorari.

The petition herein for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit is granted. And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

George Cornelius Moore and Lester Haughton, Petitioners,

222, Misc. vs.

The People of the State of New York.

On petition for writ of certiorari to the Court of Appeals of the State of New York.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, granted and the case is ordered transferred to the appellate docket.

Per Mr. Chief Justice Vinson.

George Cornelius Moore and Lester Haughton, Petitioners,

485 vs.

The People of the State of New York.

Order staying execution of judgment.

This Court having granted the petition for writ of certiorari in the above-entitled cause,

IT IS ORDERED that the execution of the judgment of the Court of Appeals of the State of New York entered on November 21, 1947, sentencing petitioners to punishment by death during the week beginning Monday, January 5, 1948, be and it is hereby stayed pending the final disposition of the case in this Court.

Per Mr. Chief Justice Vinson.

William F. Sternberg, Individually and as Co-Trustee Under the Will of Herman J. Sternberg, Deceased, et al.,

Petitioners,

441 vs.

St. Louis Union Trust Company, Personally and as Co-Trustee Under the Will of Herman J. Sternberg, Deceased.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Eighth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Edwin K. Atwood and Alice B. Atwood,

Petitioners,

443 vs.

Robert J. Kleberg, Jr., et al.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Fifth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Edwin K. Atwood and Alice B. Atwood,

Petitioners,

444 vs.

Robert J. Kleberg, Jr., et al.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Fifth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Edwin K. Atwood and Alice B. Atwood,
Petitioners,
445 vs.
Robert J. Kleberg, Jr., et al.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Fifth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Peter L. Guth,
Petitioner,
450 vs.
The Texas Company.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Seventh Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Alfred Shyman, Doing Business Under the Assumed Name, Business and Style of Alaska Distributors Company,
Petitioner,
433 vs.
The United States of America.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Ninth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Alfred Shyman, Doing Business Under the Assumed Name, Business and Style of Alaska Distributors Company,

Petitioner,

433 vs.

Philip B. Fleming, Temporary Controls Administrator.

ON CONSIDERATION of the motion of the Solicitor General to substitute the United States of America as the party respondent in this case in place of Philip B. Fleming, Temporary Controls Administrator,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, granted.

Per Mr. Chief Justice Vinson.

Pantzer Lumber Company,

Petitioner,

439 vs.

Philip B. Fleming, Temporary Controls Administrator.

ON CONSIDERATION of the motion of the Solicitor General to substitute the United States of America as the party respondent in this case in place of Philip B. Fleming, Temporary Controls Administrator,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, granted.

Per Mr. Chief Justice Vinson.

Pantzer Lumber Company,

Petitioner,

439 vs.

The United States of America.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Seventh Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Randolph Phillips,

Petitioner,

442 vs.

The Baltimore and Ohio Railroad Company.

ON CONSIDERATION of the motion to dispense with the printing of the record in this case,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, granted.

Per Mr. Chief Justice Vinson.

Randolph Phillips,

Petitioner,

442 vs.

The Baltimore & Ohio Railroad Company.

On petition for writ of certiorari to the District Court of the United States for the District of Maryland.

ON CONSIDERATION of the petition for a writ of certiorari herein to the District Court of the United States for the District of Maryland, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Willie Melmoth Bomar,

Petitioner,

401 vs.

Rowena Keith Keyes and the City of New York.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

James E. Shiflett,

Petitioner,

21, Misc. vs.

E. J. Welch, Superintendent.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Albert Baker,

Petitioner,

158, Misc. vs.

L. F. Utecht, Warden.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

James W. Ross,

Petitioner,

191, Misc. vs.

State of Illinois.

On petition for writ of certiorari to the Supreme Court of the State of Illinois.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

James W. Ross,

Petitioner,

192, Misc. vs.

State of Illinois.

On petition for writ of certiorari to the Circuit Court of St. Clair County, State of Illinois.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Robert George Banks,

Petitioner,

194, Misc. vs.

Joseph E. Ragen, Warden.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

T. C. Jones,

Petitioner,

211, Misc. vs.

Joseph E. Ragen, Warden.

On petition for writs of certiorari to the Circuit Court of Will County; Criminal Court of Cook County, and the Supreme Court of the State of Illinois.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writs of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writs of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Emanuel Cannady,

Petitioner,

212, Misc. vs.

Joseph E. Ragen, Warden.

On petition for writs of certiorari to the Circuit Court of Will County and the Criminal Court of Cook County, State of Illinois.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writs of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writs of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Taylor Seals,

Petitioner,

220, Misc. vs.

Honorable George C. Taylor, District Judge.

ON CONSIDERATION of the motion for leave to file a petition for writ of habeas corpus herein,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Andrew Scott,

Petitioner,

224, Misc. vs.

Joseph E. Ragen, Warden.

ON CONSIDERATION of the application submitted herein by Andrew Scott,

IT IS ORDERED by this Court that the said application be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

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Proclamation being made the Court is adjourned until Monday, January 5, next, at 12 o'clock.

MONDAY, JANUARY 5, 1942.

Pursuant to adjournment the Court met at the Supreme Court Building.

PRESENT:

The Honorable Fred M. Vinson, Chief Justice,
Hugo L. Black,
Stanley Reed,
Felix Frankfurter,
William O. Douglas,
Frank Murphy,
Robert H. Jackson,
Wiley Rutledge,
Harold H. Burton,
Associate Justices.

Thomas Ennalls Waggaman, Esquire, Marshal,

Charles Elmore Cropley, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. John E. Lyle, Jr., It is ordered that Elbert R. Jandt, Esquire, of Seguin, State of Texas; E. M. Grimes, Esquire, of Taylor, State of Texas; and Carl D. Levy, Esquire, of Beaumont, State of Texas, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. John E. McClure, It is ordered that Herman Hoffman, Esquire, of New York, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Robert Stuart Erdahl, It is ordered that Harold John Butcher, Esquire, of Anchorage, Territory of Alaska, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. John W. Malley, It is ordered that Herbert F. Garrick, Esquire, of New York, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

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The United States of America,
Petitioner,
61 vs.
Michael Di Re.

On writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

THIS CAUSE came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Second Circuit, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is ordered and adjudged by this Court that the judgment of the said United States Circuit Court of Appeals, in this cause, be, and the same is hereby, affirmed; and that this cause be, and the same is hereby, remanded to the District Court of the United States for the Western District of New York.

Per Mr. Justice Jackson.

Dissenting: The Chief Justice and Mr. Justice Black.

Robert Sealfon,
Petitioner,
174 vs.
The United States of America.

On writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit.

THIS CAUSE came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Third Circuit, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is ordered and adjudged by this Court that the judgment of the said United States Circuit Court of Appeals, in this cause, be, and the same is hereby, reversed; and that this cause be, and the same is hereby, remanded to the District Court of the United States for the District of New Jersey for proceedings in conformity with the opinion of this Court.

Per Mr. Justice Douglas.

Globe Liquor Company, Inc.,
Petitioner,
205 vs.
Frank San Roman and Dorothea San Roman, Doing Business Under the Firm Name and Style of International Industries.

On writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit.

This cause came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Seventh Circuit, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is ordered and adjudged by this Court as follows: The judgment of the Circuit Court of Appeals reversing and remanding the cause to the District Court is affirmed. But since the respondents made no motion for judgment under Rule 50(b) of the Federal Rules of Civil Procedure, it was error to direct the District Court to enter a judgment in their favor. Costs in this Court are to be taxed against respondents. The case is remanded to the District Court of the United States for the Northern District of Illinois for a new trial.

Per Mr. Justice Black.

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The Chief Justice said:

"The orders of the Court appear upon the list certified by the Chief Justice and filed with the Clerk and will not be announced orally."

The United States of America,
Complainant,
12, Original vs.
The State of California.

ON CONSIDERATION of the motion for leave to withdraw the appearances of Louis W. Myers, William W. Clary, and Jackson W. Chance as counsel for the State of California in this cause,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, granted.

Per Mr. Chief Justice Vinson.

Jesse M. Donaldson, Individually and as Acting Postmaster General of the United States,

Petitioner,

50 vs.

Read Magazine, Inc., et al.

ON CONSIDERATION of the motion of the Solicitor General of the United States to substitute Jesse M. Donaldson, Postmaster General of the United States, as the party petitioner in this case,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, granted and that the cause be so continued and maintained.

Per Mr. Chief Justice Vinson.

J. D. Shelley, et al.,

Petitioners,

72 vs.

Louis Kraemer, et al.;

Orsel McGhee, et al.,

Petitioners,

87 vs.

Benjamin J. Sipes, et al.;

James M. Hurd and Mary I. Hurd,

Petitioners,

290 vs.

Frederic E. Hodge, et al.; and

Raphael G. Urciolo, et al.,

Petitioners,

291 vs.

Frederic E. Hodge, et al.

ON CONSIDERATION of the motions for leave to file briefs of the National Bar Association and American Association for the United Nations as amici curiae in these cases,

IT IS ORDERED by this Court that the said motions be, and the same are hereby, granted.

Per Mr. Chief Justice Vinson.

The United States of America,

Appellant,

79 vs.

Paramount Pictures, Inc., et al.

ON CONSIDERATION of the motion for leave to file brief of Motion Picture Theatre Owners of America as amicus curiae in this case,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, granted. The motion for leave to participate in the oral argument is denied.

Per Mr. Chief Justice Vinson.

In Re William Oliver,

Petitioner.

215

ON CONSIDERATION of the motion of the State Bar of Michigan for leave to file a brief as amicus curiae in this case,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, granted, the brief to be filed by January 19, next.

Per Mr. Chief Justice Vinson.

Bay Ridge Operating Co., Inc.,

Petitioner,

366 vs.

James Aaron, et al.; and

Huron Stevedoring Corporation,

Petitioner,

367 vs.

Leo Blue, et al.

ON CONSIDERATION of the motions for leave to file briefs of the Waterfront Employers Association of the Pacific Coast; National Association of Manufacturers; and Frank Adams, as amici curiae in these cases,

IT IS ORDERED by this Court that the said motions be, and the same are hereby, granted.

Per Mr. Chief Justice Vinson.

Harrison Parker,

Petitioner,

270 vs.

People of the State of Illinois.

Order allowing certiorari.

The petition herein for a writ of certiorari to the Supreme Court of the State of Illinois is granted, and the case is consolidated with No. 428 for argument.

And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

Harrison Parker,

Petitioner,

270 vs.

People of the State of Illinois.

ON CONSIDERATION of the motion to strike respondent's brief in this case,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Harrison Parker,

Petitioner,

428 vs.

People of the State of Illinois.

Order allowing certiorari.

The petition herein for a writ of certiorari to the Supreme Court of the State of Illinois is granted, and the case is consolidated with No. 270 for argument.

And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

Hyman Katz,
Petitioner,
447 vs.
The United States of America.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Sixth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Commissioner of Internal Revenue,
Petitioner,
455 vs.
California and Hawaiian Sugar Refining Corporation.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Ninth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Commissioner of Internal Revenue,
Petitioner,
456 vs.
California and Hawaiian Sugar Refining Corporation.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Ninth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

IT IS ORDERED by this Court that the said motions be, and the same are hereby, granted.

Per Mr. Chief Justice Vinson.

Harrison Parker, Petitioner, vs. People of the State of Illinois. 270 — Order allowing certiorari.

The petition herein for a writ of certiorari to the Supreme Court of the State of Illinois is granted, and the case is consolidated with No. 428 for argument.

And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

Harrison Parker, Petitioner, vs. People of the State of Illinois. 270

ON CONSIDERATION of the motion to strike respondent's brief in this case,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Harrison Parker, Petitioner, vs. People of the State of Illinois. 428 — Order allowing certiorari.

The petition herein for a writ of certiorari to the Supreme Court of the State of Illinois is granted, and the case is consolidated with No. 270 for argument.

And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

Hyman Katz,
Petitioner,
447 vs.
The United States of America.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Sixth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Commissioner of Internal Revenue,
Petitioner,
455 vs.
California and Hawaiian Sugar Refining Corporation.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Ninth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Commissioner of Internal Revenue,
Petitioner,
456 vs.
California and Hawaiian Sugar Refining Corporation.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Ninth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Atlantic States Motor Lines, Inc., Petitioner,

485 vs.

Commonwealth of Virginia.

On petition for writ of certiorari to the Supreme Court of Appeals of the Commonwealth of Virginia.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of Appeals of the Commonwealth of Virginia, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Anne Feinberg, Petitioner,

469 vs.

Railway Express Agency, Incorporated.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Seventh Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Stanley W. Root, et al., Trustees of Stanley Engineering Corp., Bankrupt, and Gaby Company, Petitioners,

473 vs.

Morris Galman.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Third Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Arthur Greenwood, et al.,
Petitioners,
402 vs.
Hotel & Restaurant Employees International Alliance and Bartenders International League of America, et al.

On petition for writ of certiorari to the Supreme Court of the State of Alabama.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of Alabama, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Black took no part in the consideration or decision of this application.

Transamerica Corporation, and Its Officers and Directors,
Petitioners,
462 vs.
Securities and Exchange Commission.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Third Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Transamerica Corporation, and Its Officers and Directors,
Petitioners,
463 vs.
Securities and Exchange Commission.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Third Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Patrick Flaherty,

Petitioner,

1455 O.T. '46 vs.

The People of the State of Illinois.

A fourth petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Peter L. Guth,

Petitioner,

450 vs.

The Texas Company.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Frederick E. Bauer,

Petitioner,

81, Misc. vs.

Tom C. Clark, Attorney General, et al.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

J. F. Bowery,

Petitioner,

86, Misc. vs.

Hartford Accident & Indemnity Co.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

George William Bailey,

Petitioner,

151, Misc. vs.

David A. McMullen, Warden.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

George William Bailey,

Petitioner,

152, Misc. vs.

Anton Schuler.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Arthur Chalmers,

Petitioner,

168, Misc. vs.

John F. Foster, Warden.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

William F. Krell,

Petitioner,

75, Misc. vs.

Joseph E. Ragen, Warden.

On petition for writ of certiorari to the Criminal Court of Cook County, State of Illinois.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Dorsey McMahan,

Petitioner,

145, Misc. vs.

James A. Johnston, Warden.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

William H. Jackson, Petitioner, vs. Joseph W. Sanford, Warden. — On petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit.

157, Misc.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Henry Davis, Petitioner, vs. People of the State of Illinois. — On petition for writ of certiorari to the Supreme Court of the State of Illinois.

185, Misc.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Jack O'Brien, Petitioner, vs. Joseph E. Ragen, Warden. — On petition for writ of certiorari to the Circuit Court of Will County, State of Illinois.

189, Misc.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Morris Hicks,

Petitioner,

190, Misc. vs.

People of the State of Illinois.

On petition for writ of certiorari to the Supreme Court of the State of Illinois.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Elwyn Barron,

Petitioner,

202, Misc. vs.

Joseph E. Ragen, Warden.

On petition for writ of certiorari to the Supreme Court of the State of Illinois.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Carl Wamby,

Petitioner,

203, Misc. vs.

Joseph E. Ragen, Warden.

On petition for writ of certiorari to the Supreme Court of the State of Illinois.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

William Burnett,

Petitioner,

204, Misc. vs.

Joseph E. Ragen, Warden.

On petition for writ of certiorari to the Circuit Court of Stephenson County, State of Illinois.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Alexander Bastin,

Petitioner,

207, Misc. vs.

Joseph E. Ragen, Warden.

On petition for writ of certiorari to the Circuit Court of Cook County, State of Illinois.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Charles Davis,

Petitioner,

209, Misc. vs.

Joseph E. Ragen, Warden.

On petition for writ of certiorari to the Circuit Court of Will County, State of Illinois.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Louis Monsky and Gustave Monsky,
Petitioners,
214, Misc. vs.
Warden of Clinton State Prison, Dannemora, New York.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Harry D. Gordon,
Petitioner,
217, Misc. vs.
Joseph E. Ragen, Warden.

On petition for writ of certiorari to the Circuit Court of Fayette County, State of Illinois.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Jack Stroemple,
Petitioner,
218, Misc. vs.
State of Missouri.

On petition for writ of certiorari to the Supreme Court of the State of Missouri.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Eugene F. Kilgore, Petitioner, vs. A. C. Turner, Warden. — On petition for writ of certiorari to the Court of Criminal Appeals of the State of Texas. 225, Misc.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Rocco Taurisano, Petitioner, vs. People of the State of New York. — On petition for writ of certiorari to the Court of Appeals of the State of New York. 226, Misc.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Paul Lane, Petitioner, vs. Joseph E. Ragen, Warden. — On petition for writ of certiorari to the Circuit Court of Vermilion County, State of Illinois. 239, Misc.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Elmer Owens,

Petitioner,

241, Misc. vs.

Joseph E. Ragen, Warden.

On petition for writ of certiorari to the Criminal Court of Cook County, State of Illinois.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

William Penland,

Petitioner,

246, Misc. vs.

Stanley P. Ashe, Warden.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

George E. McLean,

Petitioner,

166, Misc. vs.

People of the State of Michigan.

On petition for writ of certiorari to the Supreme Court of the State of Michigan.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

George E. McLean,

Petitioner,

166, Misc. vs.

People of the State of Michigan.

ON CONSIDERATION of the motion for leave to file a petition for writ of habeas corpus herein,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, denied. The motion for a subpoena duces tecum is also denied.

Per Mr. Chief Justice Vinson.

Cottrell Sampson,

Petitioner,

240, Misc. vs.

Joseph E. Ragen, Warden.

On petition for writ of certiorari to the Criminal Court of Cook County and the Supreme Court of the State of Illinois.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Cottrell Sampson,

Petitioner,

240, Misc. vs.

Joseph E. Ragen, Warden.

ON CONSIDERATION of the motion for leave to file a petition for writ of habeas corpus herein,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

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Local No. 2830, Lumber & Sawmill Workers Union, United Brotherhood of Carpenters & Joiners of America, etc.,

Petitioner,

53 vs.

The National Labor Relations Board.

On writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit.

It appearing to the Court that counsel for the petitioner have filed a motion to dismiss the writ of certiorari in this case,

THEREFORE, pursuant to said motion, it is ordered by this Court that the writ of certiorari in this cause be, and it is hereby, dismissed.

Per Mr. Chief Justice Vinson.

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Jesse M. Donaldson, Individually and as Postmaster General of the United States,

Petitioner,

50 vs.

Read Magazine, Inc., et al.

Reargued by Mr. Robert L. Stern for the petitioner, and by Mr. John W. Burke, Jr., for the respondents.

Joseph White Musser, Guy W. Musser, Charles Frederick Zitting, et al.,

Appellants,

60 vs.

The State of Utah.

Reargued by Mr. Claude T. Barnes for the appellants, and by Mr. Calvin L. Rampton for the appellee.

The United States of America,

Petitioner,

100 vs.

Jimmie Ira Brown.

Argument commenced by Mr. Robert W. Ginnane for the petitioner, and continued by Mr. Elmo B. Hunter for the respondent.

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Proclamation being made the Court is adjourned until tomorrow at 12 o'clock.

TUESDAY, JANUARY 6, 1948.

Pursuant to adjournment the Court met at the Supreme Court Building.

PRESENT:

The Honorable Fred M. Vinson, Chief Justice,
Hugo L. Black,
Stanley Reed,
Felix Frankfurter,
William O. Douglas,
Robert H. Jackson,
Wiley Rutledge,
Harold H. Burton.
Associate Justices.

Thomas Ennalls Waggaman, Esquire, Marshal,
Charles Elmore Cropley, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Edward F. Treadwell, It is ordered that Samuel I. Jacobs, Esquire, of San Francisco, State of California, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Fred Hansen, It is ordered that Maurice H. Merrill, Esquire, of Norman, State of Oklahoma, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. William M. Moroney, It is ordered that George A. Ghiselli, Esquire, of San Francisco, State of California, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Jacob W. Friedman, It is ordered that Isadore Glauberman, Esquire, of Jersey City, State of New Jersey, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. George D. Gibson, It is ordered that Glenn C. Wilber, Esquire, of Detroit, State of Michigan, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. William Paul Shelley, Jr., It is ordered that H. O. Pemberton, Esquire, of Tallahassee, State of Florida, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. David Rein, It is ordered that Charles Rothenberg, Esquire, of Brooklyn, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

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The United States of America,

Petitioner,

100 vs.

Jimmie Ira Brown.

Argument continued by Mr. Elmo B. Hunter for the respondent, and concluded by Mr. Robert W. Ginnane for the petitioner.

Harry B. Mitchell, et al., Individually and as Members of the Civil Service Commission,

Petitioners,

130 vs.

Jack W. Cohen; and

Harry B. Mitchell, et al., Individually and as Members of the Civil Service Commission,

Petitioners,

131 vs.

Harry W. Hubickey.

Argued by Mr. Herbert A. Bergson for the petitioners and by Mr. Gerhard A. Gesell for the respondents.

Republic Natural Gas Company,

Appellant,

134 vs.

State of Oklahoma, Corporation Commission of the State of Oklahoma, et al.

Argument commenced by Mr. Robert M. Rainey for the appellant; continued by Mr. Earl Pruet for the appellees, and concluded by Mr. John F. Eberhardt for the appellant.

Albert E. Schwabacher, et al.,

Appellants,

258 vs.

The United States of America, Interstate Commerce Commission, et al.

Argument commenced by Mr. Carl McFarland for the appellants.

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Proclamation being made the Court is adjourned until tomorrow at 12 o'clock.

Pursuant to adjournment the Court met at the Supreme Court Building.

PRESENT:

The Honorable Fred M. Vinson, Chief Justice,
Hugo L. Black,
Stanley Reed,
Felix Frankfurter,
William O. Douglas, Associate Justices.
Robert H. Jackson,
Wiley Rutledge,
Harold H. Burton.
Thomas Ennalls Waggaman, Esquire, Marshal,
Charles Elmore Cropley, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Dwight L. Rogers, It is ordered that J. A. Franklin, Esquire, of Fort Myers, State of Florida, and Robert E. Willis, Esquire, of Bradenton, State of Florida, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Henry P. Chandler, It is ordered that Nathan M. Gomberg, Esquire, of Chicago, State of Illinois, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Thurgood Marshall, It is ordered that Spottswood W. Robinson, III, Esquire, of Richmond, Commonwealth of Virginia, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Stanley Suydam, It is ordered that Walter E. Cooper, Esquire, of Newark, State of New Jersey, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Howard Boyd, It is ordered that John P. Smith, Esquire, of New York, State of New York, and Albert P. Thill, Esquire, of New York, State of New York, be admitted to practice as Attorneys and Counsellors of this Court, and they were

sworn accordingly.

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Albert E. Schwabacher, et al.,

Appellants,

258 vs.

The United States of America, Interstate Commerce Commission, et al.

Argument continued by Mr. Carl McFarland for the appellants; by Mr. Daniel M. Kunkel for the appellee, Interstate Commerce Commission; by Mr. George D. Gibson for the appellees, The Chesapeake and Ohio Railway Company, et al.; and concluded by Mr. Carl McFarland for the appellants.

Fontaine Le Maistre,

Petitioner,

362 vs.

Herman Leffers, et al.

Argument commenced by Mr. W. B. Shelby Crichlow for the petitioner, continued by Mr. James Alfred Franklin for the respondents, and concluded by Mr. Dewey A. Dye for the petitioner.

Ada Lois Sipuel,

Petitioner,

369 vs.

Board of Regents of the University of Oklahoma, et al.

Argument commenced by Mr. Amos Hall for the petitioner, and continued by Mr. Thurgood Marshall for the petitioner.

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Proclamation being made the Court is adjourned until tomorrow at 12 o'clock.

Pursuant to adjournment the Court met at the Supreme Court Building.

PRESENT:

The Honorable Fred M. Vinson, Chief Justice,
Hugo L. Black,
Stanley Reed,
Felix Frankfurter,
William O. Douglas,
Robert H. Jackson,
Wiley Rutledge,
Harold H. Burton,
Associate Justices.
Thomas Brahalls Waggaman, Esquire, Marshal,
Charles Elmore Cropley, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. J. Frank Staley, It is ordered that Alfred Fulton Christiansen, Esquire, of Boston, Commonwealth of Massachusetts, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Thurgood Marshall, It is ordered that Frank D. Reeves, Esquire, of Washington, District of Columbia, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Kenneth W. Robinson, It is ordered that Robert D. Charlton, Esquire, of Denver, State of Colorado, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

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Ada Lois Sipuel,

Petitioner,

369 vs.

Board of Regents of the University of Oklahoma, et al.

Argument continued by Mr. Thurgood Marshall for the petitioner, by Mr. Fred Hansen and by Mr. Maurice H. Merrill for the respondents, and

concluded by Mr. Thurgood Marshall for the petitioner.

Seaboard Air Line Railroad Company,

Appellant,

390 vs.

John M. Daniel, as Attorney General of the State of South Carolina, et al.

Argued by Mr. W. R. C. Cocke for the appellant, and by Mr. Irvine F. Belser for the appellees.

Pong Haw Tan,

Petitioner,

370 vs.

Arthur J. Phelan, Acting District Director, Immigration and Naturalization Service, Port of San Francisco, California.

Argument commenced by Mr. Lambert O'Donnell for the petitioner.

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Proclamation being made the Court is adjourned until tomorrow at 12 o'clock.

Pursuant to adjournment the Court met at the Supreme Court Building.

PRESENT:

The Honorable Fred M. Vinson, Chief Justice,
Hugo L. Black,
Stanley Reed,
Felix Frankfurter,
William O. Douglas, Associate Justices.
Robert H. Jackson,
Wiley Rutledge,
Harold H. Burton.
Thomas Ennalls Waggaman, Esquire, Marshal,
Charles Elmore Cropley, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Harold Guy Cowgill, It is ordered that A. M. Herman, Esquire, of Fort Worth, State of Texas, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Joseph P. Tumulty, Jr., It is ordered that Patrick A. Kiley, Esquire, of Jersey City, State of New Jersey, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Irving S. Shapiro, It is ordered that Thomas Edward Naughten, Esquire, of Washington, District of Columbia, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

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Fong Haw Tan,

Petitioner,

570 vs.

Arthur J. Phelan, Acting District Director, Immigration and Naturalization Service, Port of San Francisco, California.

Argument continued by Miss Beatrice Rosenberg for the respondent, and concluded by Mr. Lambert O'Donnell for the petitioner.

International Brotherhood of Teamsters,
Chauffeurs, Warehousemen and Helpers
Union, et al.,

Appellants,

397 vs.

Denver Milk Producers, Inc., et al.

Argued by Mr. Herbert S. Thatcher for the appellants; by Mr. George K. Thomas for the State of Colorado, as amicus curiae, by special leave of Court and by Mr. Kenneth W. Robinson for the appellees.

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Proclamation being made the Court is adjourned until Monday, January 12, next, at 12 o'clock.

Pursuant to adjournment the Court met at the Supreme Court Building.

PRESENT:

The Honorable Fred M. Vinson, Chief Justice,
Hugo L. Black,
Stanley Reed,
Felix Frankfurter,
William O. Douglas,
Frank Murphy,
Robert H. Jackson,
Wiley Rutledge,
Harold H. Burton. Associate Justices.

Thomas Ennalls Waggaman, Esquire, Marshal,

Charles Elmore Cropley, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. John W. Davis, It is ordered that Wallace S. Jones, Esquire, of Essex Fells, State of New Jersey; George John Miller, Esquire, of New York, State of New York; Charles B. Chase, Esquire, of New York, State of New York; Standish F. Medina, Esquire, of New York, State of New York; and Patrick J. Kearney, Esquire, of New York, State of New York, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Jacob Reck, It is ordered that Samuel J. Davidson, Esquire, of Hoboken, State of New Jersey, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Erwin P. Snyder, It is ordered that Marshal Wiedel, Esquire, of Chicago, State of Illinois, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. A. Sidney Camp, It is ordered that Watkins Edwards, Esquire, of Ellijay, State of Georgia, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. G. Maynard Smith, It is ordered that John Ellison Branch, Esquire, of Atlanta, State of Georgia, and Alexander E. Wilson, Jr., Esquire, of Atlanta, State of Georgia, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Marvin C. Taylor, It is ordered that Mary Lemon Schleifer, of Washington, District of Columbia, be admitted to practice as an Attorney and Counsellor of this Court, and she was sworn accordingly. (Mrs.)

On motion first made to the Court in this behalf by Mr. Saul Richard Gamer, It is ordered that Ruth Kessler Toch, of Albany, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and she was sworn accordingly. (Mrs.)

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Rudy E. Callen,

Petitioner,

331 vs.

Pennsylvania Railroad Company.

On writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit.

THIS CAUSE came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Third Circuit, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is ordered and adjudged by this Court that the judgment of the said United States Circuit Court of Appeals, in this cause, be, and the same is hereby, affirmed with costs; and that this cause be, and the same is hereby, remanded to the District Court of the United States for the Eastern District of Pennsylvania.

Per Mr. Justice Jackson.

Dissenting: Mr. Justice Black, Mr. Justice Douglas, Mr. Justice Murphy, and Mr. Justice Rutledge.

John Harvey Haley,

Petitioner,

51 vs.

The State of Ohio.

On writ of certiorari to the Supreme Court of the State of Ohio.

THIS CAUSE came on to be heard on the transcript of the record from the Supreme Court of the State of Ohio, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is ordered and adjudged by this Court that the judgment of the said Supreme Court, in this cause, be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the said Supreme Court for proceedings not inconsistent with the judgment of this Court and the opinion announced by Mr. Justice Douglas.

Per Mr. Justice Douglas.

Concurring opinion by Mr. Justice Frankfurter.

Dissenting opinion by Mr. Justice Burton in which the Chief Justice, Mr. Justice Reed, and Mr. Justice Jackson concur.

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The Chief Justice announced the following order of the Court:

Ada Lois Sipuel,

Petitioner,

369 vs.

Board of Regents of the University of Oklahoma, et al.

On writ of certiorari to the Supreme Court of the State of Oklahoma.

THIS CAUSE came on to be heard on the transcript of the record from the Supreme Court of the State of Oklahoma, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is ordered and adjudged by this Court that the judgment of the said Supreme Court, in this cause, be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the said Supreme Court for proceedings not inconsistent with the opinion of this Court.

Per Mr. Chief Justice Vinson.

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The Chief Justice said:

"The other orders of the Court appear upon the list certified by the Chief Justice and filed with the Clerk and will not be announced orally."

Marden & Murphy, Inc.,
Petitioner,
449 vs.
City of Lowell, Middlesex County, Massachusetts.

On petition for writ of certiorari to the Land Court of the Commonwealth of Massachusetts.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Land Court of the Commonwealth of Massachusetts, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Marden & Murphy, Inc.,
Appellant,
449 vs.
City of Lowell, Middlesex County, Massachusetts.

Appeal from the Land Court of the Commonwealth of Massachusetts.

THIS CAUSE came on to be heard on the transcript of the record from the Land Court of the Commonwealth of Massachusetts, and on motion to dismiss or affirm, which was duly submitted.

ON CONSIDERATION WHEREOF, It is now here ordered by this Court that the motion to dismiss the appeal herein be, and the same is hereby, granted.

IT IS FURTHER ORDERED that the appeal herein be, and the same is hereby, dismissed for the want of a substantial federal question.

Per Mr. Chief Justice Vinson.

Bay Ridge Operating Co., Inc.,
Petitioner,
366 vs.
James Aaron, et al.; and

Huron Stevedoring Corporation,

Petitioner,

367 vs.

Leo Blue, et al.

ON CONSIDERATION of the motion for leave to file the brief of International Longshoremen's Association as amicus curiae in this case,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, granted.

Per Mr. Chief Justice Vinson.

Tighe E. Woods, Acting Housing Expediter of the Office of the Housing Expediter,

Appellant,

486 vs.

The Cloyd W. Miller Company, a Corporation, and Cloyd W. Miller.

The statement of jurisdiction in this case having been submitted and considered by the Court, probable jurisdiction is noted.

Per Mr. Chief Justice Vinson.

Andrew W. Comstock, a Holder of Missouri Pacific Railroad Company 5½% Secured Serial Gold Bonds, etc.,

Order allowing certiorari.

Petitioner,

451 vs.

Group of Institutional Investors, etc., et al.

The petition herein for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit is granted.

And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

New Orleans, Texas and Mexico Railway Company, Debtor, etc., — Order allowing certiorari.

Petitioner,

452 vs.

Group of Institutional Investors, etc., et al.

The petition herein for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit is granted.

And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

Guy A. Thompson, Trustee of the New Orleans, Texas and Mexico Railway Company, etc., — Order allowing certiorari.

Petitioner,

453 vs.

Group of Institutional Investors, etc., et al.

The petition herein for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit is granted.

And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

Andrew W. Comstock, — Order allowing certiorari.

Petitioner,

454 vs.

Guy A. Thompson, Trustee of the New Orleans, Texas and Mexico Railway Company, Debtor, et al.

The petition herein for a writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit is granted.

And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

Federal Trade Commission, Petitioner,

464 vs.

Morton Salt Company.

Order allowing certiorari.

The petition herein for a writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit is granted.

And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

Robert H. Polk, Petitioner,

457 vs.

The United States of America.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Sixth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Parfait Powder Puff Company, Inc., Petitioner,

466 vs.

The United States of America.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Seventh Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Thoger Gronberg Jungersen,

Petitioner,

467 vs.

Ostby and Barton Company and American Associates, Inc.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Third Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

General Finance Loan Company, a Corporation, and General Finance Corporation,

Petitioners,

471 vs.

General Loan Company, a Corporation.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Eighth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Lewis Johnson, Lo Goode, Paul MacFarland and Town of Lacona, a Municipal Corporation,

Petitioners,

484 vs.

Charles E. Sellers, et al.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Eighth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Benjamin F. Fields,

Petitioner,

458 vs.

The United States of America.

On petition for writ of certiorari to the United States Court of Appeals for the District of Columbia.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the District of Columbia, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Burton took no part in the consideration or decision of this application.

Donald M. Johnson,

Petitioner,

459 vs.

The United States of America.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Third Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Murphy and Mr. Justice Jackson took no part in the consideration or decision of this application.

Jacob Greenes,

Petitioner,

460 vs.

The United States of America.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Third Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Murphy and Mr. Justice Jackson took no part in the consideration or decision of this application.

Catby and Barton Company and American Associates, Inc.,

Petitioners,

468 vs.

Thoger Gronberg Jungersen.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Third Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Black is of the opinion this petition should be granted.

Kiyoichi Fujikawa, et al.,

Petitioners,

1210 O.T. '46 vs.

The Sunrise Soda Works Company, et al.

ON CONSIDERATION of the motion for leave to file a second petition for rehearing in this case,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Edgar Robare,

Petitioner,

58, Misc. vs.

People of the State of Michigan.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Edward Smith,

Petitioner,

142, Misc. vs.

Ralph W. Howard, Warden, etc.

ON CONSIDERATION of the motion for leave to file a second petition for rehearing in this case,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Marie M. Christ, as Administratrix of the Estate of Theodore W. Elise, Deceased,

Petitioner,

118, Misc. vs.

United States of America War Shipping Administration.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

William M. Evans,

Petitioner,

208, Misc. vs.

People of the State of Illinois.

On petition for writ of certiorari to the Supreme Court of the State of Illinois.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Frank Bowie, Jr.,
Petitioner,
242, Misc. vs.
Edwin T. Swenson, Warden.

On petition for writ of certiorari to the Court of Appeals of the State of Maryland.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Sam Lott,
Petitioner,
250, Misc. vs.
People of the State of Illinois.

On petition for writ of certiorari to the Supreme Court of the State of Illinois.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Kurt G. W. Ludecke,
Petitioner,
147, Misc. vs.
W. Frank Watkins, as District Director of Immigration.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Second Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Black, Mr. Justice Douglas, and Mr. Justice Rutledge are of the opinion this petition should be granted.

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The Court will take a recess from Monday, January 19, until Monday, February 2, next.

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Bay Ridge Operating Co., Inc.,

Petitioner,

366 vs.

James Aaron, Albert Alston, James Philip Brooks, et al.; and

Huron Stevedoring Corp.,

Petitioner,

367 vs.

Leo Blue, Nathaniel Dixon, Christian Elliott, et al.

Argued by Mr. Peyton Ford and Mr. Marvin C. Taylor for the petitioners, and by Mr. Monroe Goldwater for the respondents.

The United States of America,

Appellant,

41 vs.

Scophony Corporation of America, et al.

Argument commenced by Mr. Sigmund Timberg for the appellant.

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Proclamation being made the Court is adjourned until tomorrow at 12 o'clock.

Pursuant to adjournment the Court met at the Supreme Court Building.

PRESENT:

The Honorable Fred M. Vinson, Chief Justice,
Hugo L. Black,
Stanley Reed,
Felix Frankfurter,
William O. Douglas,
Frank Murphy,
Robert H. Jackson,
Wiley Rutledge,
Harold H. Burton,
Associate Justices.

Thomas Ennalls Waggaman, Esquire, Marshal,

Charles Elmore Cropley, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Frank A. Mathews, Jr., It is ordered that John Arvid Jonsson, Esquire, of Palmyra, State of New Jersey, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. John F. Richter, It is ordered that George M. Klein, Esquire, of New York, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. James F. Dreher, It is ordered that J. Monroe Fulmer, Esquire, of Columbia, State of South Carolina, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Mahlon C. Masterson, It is ordered that Phyllis Kravitch, of Savannah, State of Georgia; Robert E. Falligant, Esquire, of Savannah, State of Georgia; and Aaron Kravitch, Esquire, of Savannah, State of Georgia, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Charles Sylvanus Rhyne, It is ordered that Louis Josephson, Esquire, of Trenton, State of New Jersey, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Wilbur D. Mills, It is ordered that Thomas R. Rawlings, Esquire, of Fayetteville, State of Arkansas, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. George L. Vaughn, It is ordered that David M. Grant, Esquire, of Saint Louis, State of Missouri, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Keith L. Seegmiller, It is ordered that Sydney S. Asher, Jr., Esquire, of Philadelphia, Commonwealth of Pennsylvania, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

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Benjamin F. Fields,

Petitioner,

458 vs.

The United States of America.

On application of counsel for petitioner in this case, it is ordered that the order denying the petition for writ of certiorari be, and it is hereby, withheld.

Per Mr. Chief Justice Vinson.

Donald M. Johnson,

Petitioner,

459 vs.

The United States of America.

On application of counsel for petitioner in this case, it is ordered that the order denying the petition for writ of certiorari be, and it is hereby, withheld.

Per Mr. Chief Justice Vinson.

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The United States of America,

Appellant,

41 vs.

Scophony Corporation of America, et al.

Argument concluded by Mr. Edwin Foster Blair for the appellees.

Funk Brothers Seed Company,

Petitioner,

280 vs.

Kalo Inoculant Company.

Argued by Mr. H. A. Toulmin, Jr., for the petitioner, and by Mr. J. Bernard Thiess for the respondent.

Earl J. Toomer, Joseph A. Cesaroni,
Joseph De Gracia, et al.,

Appellants,

415 vs.

J. M. Witsell, Edward E. Burroughs,
E. L. Sweat, et al.

Argument commenced by Mr. Robert E. Falligant for the appellants, and continued by Mr. David W. Robinson for the appellees.

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Proclamation being made the Court is adjourned until tomorrow at 12 o'clock.

Pursuant to adjournment the Court met at the Supreme Court Building.

PRESENT:

The Honorable Fred M. Vinson, Chief Justice,
Hugo L. Black,
Stanley Reed,
Felix Frankfurter,
William O. Douglas,
Frank Murphy, Associate Justices.
Robert H. Jackson,
Wiley Rutledge,
Harold H. Burton.
Thomas Ennalls Waggaman, Esquire, Marshal,
Charles Elmore Cropley, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Eugene J. Keogh, It is ordered that Joseph T. Genco, Esquire, of New York, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Herman Willer, It is ordered that Eugene H. Buder, Esquire, of Saint Louis, State of Missouri, and Earl Susman, Esquire, of Saint Louis, State of Missouri, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. George L. Vaughn, It is ordered that John A. Davis, Esquire, of Saint Louis, State of Missouri, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. James M. McInerney, It is ordered that John F. Wilkinson, Esquire, of New York, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

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J. D. Shelley, et al.,

Petitioners,

72 vs.

Louis Kraemer, et al.;

Orsel McGhee, et al.,

Petitioners,

87 vs.

Benjamin J. Sipes, et al.;

James M. Hurd, et al.,

Petitioners,

290 vs.

Frederic E. Hodge, et al.; and

Raphael G. Urciolo, et al.,

Petitioners,

291 vs.

Frederic E. Hodge, et al.

On application of counsel, leave is granted to file brief of American Unitarian Association as amicus curiae.

Per Mr. Chief Justice Vinson.

The United States of America,

Petitioner,

526 vs.

Charles Kruszewski.

On application of counsel for petitioner in this case, the time for making service of the petition for certiorari and record is extended to a date which is not later than 10 days after the giving of notice by the Clerk of this Court to counsel for the petitioner that the printed record has been delivered to such Clerk.

Per Mr. Chief Justice Vinson.

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Earl J. Toomer, Joseph A. Cesaroni, Joseph De Gracia, et al.,

Appellants,

415 vs.

J. M. Witsell, Edward E. Burroughs, E. L. Sweat, et al.

Argument continued by Mr. J. Monroe Fulmer for the appellees, and concluded by Mr. Aaron Kravitch for the appellants.

Commissioner of Internal Revenue,

Petitioner,

384 vs.

South Texas Lumber Company.

Argued by Mr. Lee A. Jackson for the petitioner, and by Mr. Charles C. MacLean for the respondent.

Philip B. Fleming, Temporary Controls Administrator,

437 vs.

W. H. Hills.

ON CONSIDERATION of the motion of Mr. John R. Benney,

It is ordered by this Court that leave be granted Mr. George D. Rathbun to appear and present oral argument for W. H. Hills, pro hac vice, in this case.

Per Mr. Chief Justice Vinson.

Philip B. Fleming, Temporary Controls Administrator,

437 vs.

W. H. Hills.

Argued by Mr. John R. Benney for Philip B. Fleming, Temporary Controls Administrator, and by Mr. George D. Rathbun for W. H. Hills, pro hac vice, by special leave of Court.

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Proclamation being made the Court is adjourned until tomorrow at 12 o'clock.

THURSDAY, JANUARY 15, 19[illegible].

Pursuant to adjournment the Court met at the Supreme Court Building.

PRESENT:

The Honorable Fred M. Vinson, Chief Justice,
Hugo L. Black,
Stanley Reed,
Felix Frankfurter,
William O. Douglas,
Frank Murphy,
Robert H. Jackson,
Wiley Rutledge,
Harold H. Burton. Associate Justices.

Thomas Ennalls Waggaman, Esquire, Marshal,

Charles Elmore Cropley, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Leon A. Ransom, It is ordered that Victor J. Ashe, Esquire, of Norfolk, Commonwealth of Virginia, and David D. White, Esquire, of Columbus, State of Ohio, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Mozart G. Ratner, It is ordered that Harold Mahen, Esquire, of New York, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Thurgood Marshall, It is ordered that Louis L. Redding, Esquire, of Wilmington, State of Delaware, and Theodore O. Spaulding, Esquire, of Philadelphia, Commonwealth of Pennsylvania, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Justus Reiniger Moll, It is ordered that Bernard Cushman, Esquire, of Washington, District of Columbia, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Nathan Siegel, It is ordered that Paul S. Knight, Esquire, of Cleveland, State of Ohio, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Samuel W. McIntosh, It is ordered that Harry D. Page, Esquire, of Tulsa, State of Oklahoma, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Edward H. Miller, It is ordered that William R. Bascom, Esquire, of Saint Louis, State of Missouri, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

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J. D. Shelley, Ethel Lee Shelley, His Wife, and Josephine Fitzgerald,

Petitioners,

72 vs.

Louis Kraemer and Fern Kraemer, his Wife;

Orsel McGhee and Minnie S. McGhee, His Wife,

Petitioners,

87 vs.

Banjamin J. Sipes and Anna C. Sipes, et al.,

James M. Hurd and Mary I. Hurd,

Petitioners,

290 vs.

Frederic E. Hodge, et al.; and

Raphael G. Urciolo, Robert H. Rowe,
Isabelle J. Rowe, et al.,

Petitioners,

291 vs.

Frederic E. Hodge, et al.

Argument commenced by Mr. Solicitor General Perlman for the United States as amicus curiae, by special leave of Court; continued by Mr. George L. Vaughn and Mr. Herman Miller for the petitioners in No. 72; by Mr. Gerald L. Seegers for the respondents in No. 72; by Mr. Loren Miller and Mr. Thurgood Marshall for the petitioners in No. 87; and by Mr. Henry Gilligan and Mr. James A. Crooks for the respondents in No. 87.

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Proclamation being made the Court is adjourned until tomorrow at 12 o'clock.

Pursuant to adjournment the Court met at the Supreme Court Building.

PRESENT:

The Honorable Fred M. Vinson, Chief Justice,
Hugo L. Black,
Stanley Reed,
Felix Frankfurter,
William O. Douglas,
Frank Murphy, Associate Justices.
Robert H. Jackson,
Wiley Rutledge,
Harold H. Burton.
Thomas Ennalls Waggaman, Esquire, Marshal,
Charles Elmore Cropley, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Homer Ferguson, It is ordered that George A. Finch, Esquire, of Baltimore, State of Maryland, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Charles Fahy, It is ordered that Victor Brudney, Esquire, of New York, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Lucien Hilmer, It is ordered that Roy Guthman, Esquire, of New York, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Thurgood Marshall, It is ordered that Marian Wynn Perry, of New York, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and she was sworn accordingly.

(Mrs.)

On motion first made to the Court in this behalf by Miss Ruth Weyand, It is ordered that Sydney R. Rubin, Esquire, of Williamson, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

. On motion first made to the Court in this behalf by Mr. James J. Lenihan, It is ordered that Edward M. Powell, Esquire, of New York, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

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J. D. Shelley, Ethel Lee Shelley, his Wife, and Josephine Fitzgerald,

Petitioners,

72 vs.

Louis Kraemer and Fern Kraemer, his Wife;

Orsel McGhee and Minnie S. McGhee, his Wife,

Petitioners,

87 vs.

Benjamin J. Sipes and Anna C. Sipes, et al.;

James M. Hurd and Mary I. Hurd,

Petitioners,

290 vs.

Frederic E. Hodge, et al.; and

Raphael G. Urciolo, Robert H. Rowe, Isabelle J. Rowe, et al.,

Petitioners,

291 vs.

Frederic E. Hodge, et al.

Argument continued by Mr. James A. Crooks for the respondents in No. 87; by Mr. Thurgood Marshall for the petitioners in No. 87; by Mr. Charles H. Houston and Mr. Phineas Indritz for the petitioners in Nos. 290 and 291; by Mr. Henry Gilligan and Mr. James A. Crooks for the respondents in Nos. 290 and 291; and concluded by Mr. Charles H. Houston for the petitioners in Nos. 290 and 291.

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Proclamation being made the Court is adjourned until Monday, January 19, next, at 12 o'clock.

Pursuant to adjournment the Court met at the Supreme Court Building.

PRESENT:

The Honorable Fred M. Vinson, Chief Justice,
Hugo L. Black,
Stanley Reed,
Felix Frankfurter,
Frank Murphy,
Robert H. Jackson,
Wiley Rutledge,
Harold H. Burton,
Associate Justices.
Thomas Ennalls Waggaman, Esquire, Marshal,
Charles Elmore Cropley, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Solicitor General Philip B. Perlman, It is ordered that Oscar E. Bland, Esquire, of Washington, District of Columbia, and Eli Baer, Esquire, of Washington, District of Columbia, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Overton Brooks, It is ordered that Charles D. Egan, Esquire, of Shreveport, State of Louisiana, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Mac Asbill, It is ordered that Albert L. Reeves, Jr., Esquire, of Kansas City, State of Missouri, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. William M. Whittington, It is ordered that James Monroe Walker, Esquire, of Jackson, State of Mississippi, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Frederick Bernays Wiener, It is ordered that Wesley F. Murray, Esquire, of San Francisco, State of California, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. John C. White, It is ordered that Glenn A. Perry, Esquire, of Houston, State of Texas, and Jno. C. Williams, Esquire, of Houston, State of Texas, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. John D. Lane, It is ordered that Edward Lawrence Willard, Esquire, of State College, Commonwealth of Pennsylvania, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. James C. Rogers, It is ordered that Alfred Wright, Esquire, of Los Angeles, State of California, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Arthur C. Perry, It is ordered that Brian S. Odem, Esquire, of Houston, State of Texas, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Douglas W. McGregor, It is ordered that George O'Brien John, Esquire, of Houston, State of Texas, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Frazer Frost Hilder, It is ordered that Clair Vincent Duff, Esquire, of Pittsburgh, Commonwealth of Pennsylvania, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Neville Miller, It is ordered that Robert T. Burke, Jr., Esquire, of Louisville, Commonwealth of Kentucky, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

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Albert Lee,

Petitioner,

vs.

State of Mississippi.

On writ of certiorari to the Supreme Court of the State of Mississippi.

91

THIS CAUSE came on to be heard on the transcript of the record from the Supreme Court of the State of Mississippi, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is ordered and adjudged by this Court that the judgment of the said Supreme Court, in this cause, be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the said Supreme Court for further proceedings not inconsistent with the opinion of this Court. Since the Mississippi Supreme Court upheld the conviction solely because it thought petitioner was not entitled to raise the constitutional issue regarding the confession, the case is remanded to that court so that it may definitively express its views on that issue.

Per Mr. Justice Murphy.

The United States of America,

Petitioner,

vs.

Jordan James Sullivan, Trading as Sullivan's Pharmacy.

On writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit.

121

THIS CAUSE came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Fifth Circuit, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is ordered and adjudged by this Court that the judgment of the said United States Circuit Court of Appeals, in this

cause, be, and the same is hereby, reversed; and that this cause be, and the same is hereby, remanded to the District Court of the United States for the Middle District of Georgia for proceedings in conformity with the opinion of this Court.

Per Mr. Justice Black.

Concurring opinion by Mr. Justice Rutledge.

Dissenting opinion by Mr. Justice Frankfurter in which Mr. Justice Reed and Mr. Justice Jackson join.

Marianna Von Moltke,

Petitioner,

73 vs.

A. Blake Gillies, Superintendent of the Detroit House of Correction.

On writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit.

THIS CAUSE came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Sixth Circuit, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is ordered and adjudged by this Court as follows: The judgment of the Circuit Court of Appeals is reversed and that of the District Court is set aside. The cause is remanded to the District Court of the United States for the Eastern District of Michigan so that it may hold further hearings and give consideration to, and make explicit findings on, the questions of fact discussed in the separate opinion delivered by Mr. Justice Frankfurter. If upon such further hearings and consideration the District Court finds that the petitioner did not competently, intelligently, and with full understanding of the implications, waive her constitutional right to counsel, an order should be entered directing that she be released from further custody under the judgment based on her plea.

Per Mr. Justice Black.

Separate opinion by Mr. Justice Frankfurter in which Mr. Justice Jackson joins.

Dissenting opinion by Mr. Justice Burton in which the Chief Justice and Mr. Justice Reed concur.

Fred Y. Oyama and Kajiro Oyama, Petitioners, vs. State of California. — On writ of certiorari to the Supreme Court of the State of California.

44

THIS CAUSE came on to be heard on the transcript of the record from the Supreme Court of the State of California, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is ordered and adjudged by this Court that the judgment of the said Supreme Court, in this cause, be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the said Supreme Court for proceedings not inconsistent with the opinion of this Court.

Per Mr. Chief Justice Vinson.

Concurring opinion by Mr. Justice Black in which Mr. Justice Douglas joins.

Concurring opinion by Mr. Justice Murphy in which Mr. Justice Rutledge joins.

Dissenting opinion by Mr. Justice Reed in which Mr. Justice Burton joins.

Dissenting opinion by Mr. Justice Jackson.

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The Chief Justice said:

"The orders of the Court appear upon the list certified by the Chief Justice and filed with the Clerk and will not be announced orally."

State of Florida, ex rel. William Lewis, Appellant, vs. Roland H. Kelley, as Chief of Police of the City of Fort Lauderdale, Broward County, Florida. — Appeal from the Supreme Court of the State of Florida.

501

THIS CAUSE came on to be heard on the transcript of the record from the Supreme Court of the State of Florida, and was duly submitted.

ON CONSIDERATION WHEREOF, It is now here ordered by this Court that the appeal herein be, and the same is hereby, dismissed for the want of a substantial federal question.

Per Mr. Chief Justice Vinson.

Roy Bute,

Petitioner,

398 vs.

People of the State of Illinois.

It is ordered that Victor Brudney, Esquire, of New York City, a member of the Bar of this Court, be and he is hereby, appointed to serve as counsel for the petitioner in this case.

Per Mr. Chief Justice Vinson.

Frank R. Creedon, Housing Expediter,
Office of Housing Expediter,

Petitioner,

392 vs.

Charles Stone.

ON CONSIDERATION of the motion of the Solicitor General of the United States to substitute the party petitioner in this case,

IT IS ORDERED by this Court that Tighe E. Woods, present Housing Expediter, be substituted as the party petitioner herein in place of Frank R. Creedon and that the cause be so continued and maintained, counsel for the respondent having consented to the substitution.

Per Mr. Chief Justice Vinson.

Philip B. Fleming, Temporary Controls Administrator,

437 vs.

W. H. Hills.

ON CONSIDERATION of the motion of the Solicitor General of the United States to substitute the government officer in this case,

IT IS ORDERED by this Court that Tighe E. Woods, Housing Expediter, Office of Housing Expediter, be substituted in place of Philip B. Fleming, Temporary Controls Administrator, and that the cause be so continued and maintained.

Per Mr. Chief Justice Vinson.

Mary Morton West, Osage Allottee, No. 192,

Appellant,

489 vs.

Oklahoma Tax Commission.

The statement of jurisdiction in this case having been submitted and considered by the Court, probable jurisdiction is noted.

Per Mr. Chief Justice Vinson.

Floyd O. Yarbrough, Executor of the Estate of Dora Neal Rector, Osage Allottee, No. 626, et al.,

Appellants,

490 vs.

Oklahoma Tax Commission.

The statement of jurisdiction in this case having been submitted and considered by the Court, probable jurisdiction is noted.

Per Mr. Chief Justice Vinson.

Francis Joseph Gryger,

Petitioner,

53, Misc. vs.

C. J. Burke, Warden.

On petition for writ of certiorari to the Supreme Court of the Commonwealth of Pennsylvania.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this

Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, granted and the case is ordered transferred to the appellate docket.

Per Mr. Chief Justice Vinson.

Frank Townsend,
Petitioner,
55, Misc. vs.
C. J. Burke, Warden.

On petition for writ of certiorari to the Supreme Court of the Commonwealth of Pennsylvania.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, granted and the case is ordered transferred to the appellate docket.

Per Mr. Chief Justice Vinson.

Sam Ormont, Individually and Doing Business as Acme Meat Company,
Petitioner,
474 vs.
Earl W. Clark, Director of the Division of Liquidation, Department of Commerce.

On petition for writ of certiorari to the United States Emergency Court of Appeals.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Emergency Court of Appeals, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Blue Star Auto Stores, Inc.,
Petitioner,
476 vs.
William R. McComb, Administrator of the Wage and Hour Division, United States Department of Labor.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Seventh Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Gilbert H. H. Hanson and Joseph Schwartz, Individually and as Co-Partners Doing Business as "Seventeen for the Junior Teens," etc.,

Petitioners,

478 vs.

Triangle Publications, Inc.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Eighth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Margaret Gately,

Petitioner,

488 vs.

Edith Hariton, et al.

ON CONSIDERATION of the motion to dispense with the printing of the record in this case,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, granted.

Per Mr. Chief Justice Vinson.

Margaret Gately,

Petitioner,

488 vs.

Edith Hariton, et al.

On petition for writ of certiorari to the United States Court of Appeals for the District of Columbia.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the District of Columbia, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Lawrence B. Goldsmith,

Petitioner,

55 vs.

The United States of America.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Samuel S. Weiss,

Petitioner,

56 vs.

The United States of America.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Albert Feigenbaum,

Petitioner,

57 vs.

The United States of America.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Thomas Bullitt Dixon,

Petitioner,

170 vs.

American Telephone & Telegraph Company, et al.

ON CONSIDERATION of the motion for leave to file a second petition for rehearing in this case,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Edward Scott Holler,

Petitioner,

200, Misc. vs.

The United States of America.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Harris Bailey,

Petitioner,

230, Misc. vs.

Walter Miersthoimer, Warden.

On petition for writ of certiorari to the Supreme Court of the State of Illinois.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

DeWright Baxter, Petitioner, vs. Joseph E. Ragen, Warden. — On petition for writ of certiorari to the Criminal Court of Cook County, State of Illinois.

238, Misc.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Carl Hamby, Petitioner, vs. Joseph E. Ragen, Warden. — On petition for writ of certiorari to the Criminal Court of Cook County, State of Illinois.

247, Misc.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

John Cordts, Petitioner, vs. Joseph E. Ragen, Warden. — On petition for writ of certiorari to the Circuit Court of St. Clair County, State of Illinois.

267, Misc.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Jack Ross,

Petitioner,

268, Misc. vs.

People of the State of Illinois.

On petition for writ of certiorari to the Supreme Court of the State of Illinois.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Arthur Robinson,

Petitioner,

269, Misc. vs.

Joseph E. Ragen, Warden.

On petition for writ of certiorari to the Criminal Court of Cook County, State of Illinois.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Sam Thompson,

Petitioner,

270, Misc. vs.

People of the State of Illinois.

On petition for writ of certiorari to the Supreme Court of the State of Illinois.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Arthur Harper, Petitioner, vs. People of the State of Michigan. 275, Misc. — On petition for writ of certiorari to the Supreme Court of the State of Michigan.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Clarence B. Bernard, Petitioner, vs. Patrick J. Brady, Warden. 278, Misc. — On petition for writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Jack Woods, Petitioner, vs. Joseph E. Ragen, Warden. 232, Misc. — On petition for writ of certiorari to the Supreme Court of the State of Illinois.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Jack Woods,

Petitioner,

232, Misc. vs.

Joseph E. Ragen, Warden.

ON CONSIDERATION of the motion for leave to file a petition for writ of habeas corpus herein,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Virgil D. McMillan,

Petitioner,

265, Misc. vs.

Q. Austin East, Judge.

ON CONSIDERATION of the application submitted herein by Virgil D. McMillan,

IT IS ORDERED by this Court that the said application be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Dewey White,

Petitioner,

274, Misc. vs.

Joseph E. Ragen, Warden.

ON CONSIDERATION of the application submitted herein by Dewey White,

IT IS ORDERED by this Court that the said application be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mary Ruthven,

Petitioner,

264, Misc. vs.

Dr. Winfred Overholser.

ON CONSIDERATION of the motion for leave to file a petition for writ of habeas corpus herein,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Ward M. Blanton,

Petitioner,

271, Misc. vs.

The State of North Carolina.

ON CONSIDERATION of the motion for leave to file a petition for writ of habeas corpus herein,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Max A. Steinberg,

Petitioner,

262, Misc. vs.

Honorable Judge Howard Speakman.

ON CONSIDERATION of the motion for leave to file a petition for writ of mandamus herein,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

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Proclamation being made the Court is adjourned until Monday, February 2, next, at 12 o'clock.

Pursuant to adjournment the Court met at the Supreme Court Building.

PRESENT:

The Honorable Fred M. Vinson, Chief Justice,
Hugo L. Black,
Stanley Reed,
Felix Frankfurter,
William O. Douglas,
Frank Murphy,
Robert H. Jackson,
Wiley Rutledge,
Harold H. Burton. Associate Justices.

Thomas Ennalls Waggaman, Esquire, Marshal,

Charles Elmore Cropley, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. George A. Smathers, It is ordered that Robert J. Bishop, Esquire, of Orlando, State of Florida, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Walter Norblad, It is ordered that Stephen M. King, Esquire, of Portland, State of Oregon, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. William G. Stigler, It is ordered that Alma E. Warren Shields, of Tulsa, State of Oklahoma, be admitted to practice as an Attorney and Counsellor of this Court, and she was sworn accordingly. (Mrs.)

On motion first made to the Court in this behalf by Mr. Solicitor General Philip B. Perlman, It is ordered that Henry J. Linton, Esquire, of Columbus, State of Ohio, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Edward P. Hodges, It is ordered that Olin D. Johnston, Esquire, of Spartansburg, State of South Carolina, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Theodore Lockyear, It is ordered that Edwin C. Manning, Esquire, of Evansville, State of Indiana, and Joseph B. Minor, Esquire, of Evansville, State of Indiana, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. T. W. Bruton, It is ordered that Ralph M. Moody, Esquire, of Raleigh, State of North Carolina, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Brendan F. Brown, It is ordered that Francis J. Powers, Esquire, of Brockton, Commonwealth of Massachusetts, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Grady Lewis, It is ordered that Michael F. McCarthy, Esquire, of New York, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Walter W. Ahrens, It is ordered that Shepard Woodward Leigh, Esquire, of New York, State of New York, and Frederic Hedge Poor, Jr., Esquire, of New York, State of New York, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Sydney R. Rubin, It is ordered that Irving I. Waxman, Esquire, of Albany, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. G. L. Woolruff, It is ordered that L. G. Merritt, Esquire, of West Columbia, State of South Carolina, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Thomas L. McKevitt, It is ordered that Harry Thomas Dolan, Esquire, of New York, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Robert C. Barnard, It is ordered that Robert W. Graham, Esquire, of Seattle, State of Washington, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Peter Campbell Brown, It is ordered that John R. Vicars, Esquire, of Pontiac, State of Illinois, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. K. Norman Diamond, It is ordered that Henry L. Bowden, Esquire, of Atlanta, State of Georgia, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Robert Stuart Erdahl, It is ordered that Gerald W. Heaney, Esquire, of Duluth, State of Minnesota, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Edward H. Foley, It is ordered that Joseph J. O'Connell, Jr., Esquire, of Washington, District of Columbia, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. James G. Purdy, It is ordered that Sydney Bernard Schlessel, Esquire, of New York, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

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The United States of America, Petitioner, vs. Jimmie Ira Brown. — On writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit.

100

THIS CAUSE came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Eighth Circuit, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is ordered and adjudged by this Court that the judgment of the said United States Circuit Court of Appeals, in this cause, be, and the same is hereby, reversed; and that this cause be, and the same is hereby, remanded to the District Court of the United States for the Western District of Missouri for proceedings in conformity with the opinion of this Court.

Per Mr. Justice Rutledge.

Dissenting: Mr. Justice Black and Mr. Justice Douglas.

Bob-Lo Excursion Company, Appellant, vs. The People of the State of Michigan. — Appeal from the Supreme Court of the State of Michigan.

374

THIS CAUSE came on to be heard on the transcript of the record from the Supreme Court of the State of Michigan, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court, in this cause, be, and the same is hereby, affirmed with costs.

Per Mr. Justice Rutledge.

Concurring opinion by Mr. Justice Douglas. Mr. Justice Black, who joins in the opinion of the Court, also concurs in the opinion of Mr. Justice Douglas.

Dissenting opinion by Mr. Justice Jackson in which the Chief Justice joins.

Anne Johnson,

Petitioner,

329 vs.

The United States of America.

On writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit.

THIS CAUSE came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Ninth Circuit, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is ordered and adjudged by this Court that the judgment of the said United States Circuit Court of Appeals, in this cause, be, and the same is hereby, reversed; and that this cause be, and the same is hereby, remanded to the District Court of the United States for the Western District of Washington for proceedings in conformity with the opinion of this Court.

Per Mr. Justice Jackson.

Dissenting: The Chief Justice, Mr. Justice Black, Mr. Justice Reed, and Mr. Justice Burton.

Fontaine LeMaistre,

Petitioner,

362 vs.

Herman Leffers, et al.

On writ of certiorari to the Supreme Court of the State of Florida.

THIS CAUSE came on to be heard on the transcript of the record from the Supreme Court of the State of Florida, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is ordered and adjudged by this Court that the judgment of the said Supreme Court, in this cause, be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the said Supreme Court for proceedings not inconsistent with the opinion of this Court.

Per Mr. Justice Douglas.

Fong Haw Tan, Petitioner, vs. Arthur J. Phelan, Acting District Director, Immigration and Naturalization Service, Port of San Francisco, California. — On writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit.

370

THIS CAUSE came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Ninth Circuit, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is ordered and adjudged by this Court that the judgment of the said United States Circuit Court of Appeals, in this cause, be, and the same is hereby, reversed; and that this cause be, and the same is hereby, remanded to the District Court of the United States for the Northern District of California for proceedings in conformity with the opinion of this Court.

Per Mr. Justice Douglas.

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The Chief Justice said:

"The orders of the Court appear upon the list certified by the Chief Justice and filed with the Clerk and will not be announced orally."

Lawrence Dyer, Appellant, vs. City Council of the City of Beloit, Rock County, Wisconsin, et al. — Appeal from the Supreme Court of the State of Wisconsin.

275

It appearing to the Court that counsel for the appellees have filed a motion to dismiss the appeal herein on the ground that the cause has become moot;

ON CONSIDERATION WHEREOF, It is ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause, be, and it is hereby, vacated, costs in this Court to be taxed against the appellees.

IT IS FURTHER ORDERED that this cause be, and it is hereby,

remanded to the said Supreme Court for such further proceedings as by that court may be deemed appropriate.

Per Mr. Chief Justice Vinson.

Mr. Justice Black and Mr. Justice Burton are of the opinion that costs should be divided equally.

In the Matter of Harold Easton.

No. _____

ON CONSIDERATION of the motion to amend the roll of attorneys to show the change of name of Harold Epstein to Harold Easton,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, granted.

Per Mr. Chief Justice Vinson.

The United States of America,

Appellant,

79 vs.

Paramount Pictures, Inc., et al.

ON CONSIDERATION of the motion of American Civil Liberties Union for leave to file a brief as amicus curiae in this case,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, granted.

Per Mr. Chief Justice Vinson.

Republic Natural Gas Company,

Appellant,

134 vs.

State of Oklahoma, Corporation Commission of the State of Oklahoma, et al.

Leave granted to file supplemental brief of appellees.

Per Mr. Chief Justice Vinson.

Thoger Gronberg Jungersen,

Petitioner,

467 vs.

Ostby and Barton Company and American Associates, Inc.; and

Ostby and Barton Company and American Associates, Inc.,

Petitioners,

468 vs.

Thoger Gronberg Jungersen.

ON CONSIDERATION of the motions to extend the time to file petitions for rehearing in these cases until the expiration of the present term of this Court,

IT IS ORDERED by this Court that the said motions be, and the same are hereby, denied.

Per Mr. Chief Justice Vinson.

Tighe E. Woods, Acting Housing Expediter, Office of the Housing Expediter,

Appellant,

486 vs.

The Cloyd W. Miller Company, a Corporation, and Cloyd W. Miller.

ON CONSIDERATION of the motion of the Solicitor General of the United States to substitute the party appellant in this case,

IT IS ORDERED that Tighe E. Woods, Housing Expediter, be, and he is hereby, substituted as the party appellant and that the cause be so continued and maintained.

Per Mr. Chief Justice Vinson.

Kurt G. W. Ludecke,

Petitioner,

147, Misc. vs.

W. Frank Watkins, as District Director of Immigration.

ORDER

It is ordered by this Court that the execution and enforcement of the removal order of the Attorney General of the United States entered in this case on January 18, 1946, be, and it is hereby, stayed until further order of this Court.

Per Mr. Chief Justice Vinson.

Samuel Saia,

Appellant,

504 vs.

The People of the State of New York.

The statement of jurisdiction in this case having been submitted and considered by the Court, probable jurisdiction is noted.

Per Mr. Chief Justice Vinson.

Paul Ahrens, et al., Order allowing certiorari.

Petitioners,

446 vs.

Tom C. Clark, Attorney General of the United States.

The petition herein for a writ of certiorari to the United States Court of Appeals for the District of Columbia is granted.

And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

Neptune Meter Company,
Petitioner,
19 vs.
National Labor Relations Board.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Second Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Neptune Meter Company,
Petitioner,
20 vs.
National Labor Relations Board.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Second Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Independent Employees Association of the Neptune Meter Company,
Petitioner,
22 vs.
National Labor Relations Board.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Second Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Austin Miller Statler, Jr., Petitioner, vs. The United States of America. — On petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit.

479

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Fifth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Edwin B. H. Tower, Jr., Petitioner, vs. Mater Hammer Arrester Corp. — On petition for writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Seventh Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Atlantic Coast Line Railroad Company, et al., Doing Business as Clinchfield Railroad Company, Petitioners, vs. Dock L. Meeks by Next Friend Ada Foney. — On petition for writ of certiorari to the Court of Appeals of the State of Tennessee.

487

ON CONSIDERATION of the petition for a writ of certiorari herein to the Court of Appeals of the State of Tennessee, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Robert Bradley,
Petitioner,
491 vs.
State of Connecticut.

On petition for writ of certiorari to the Supreme Court of Errors of the State of Connecticut.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of Errors of the State of Connecticut, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Lena Jankiewicz and Amelia Jankiewicz Poremski,
Petitioners,
493 vs.
Eugene B. Sloar and Madeleine D. Sloar, his Wife.

On petition for writ of certiorari to the Court of Appeals of the State of Maryland.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Court of Appeals of the State of Maryland, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Frederick Francis Zieber, Jr.,
Petitioner,
503 vs.
The United States of America.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Third Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Samuel Leonard Berenbeim,

Petitioner,

507 vs.

The United States of America.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Tenth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Tenth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Ben Schechter,

Petitioner,

508 vs.

The United States of America.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Tenth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Tenth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Nahum Birnbaum, et al., Co-Partners Comprising a Partnership Under the Name and Style of Birnbaum & Co., et al.,

Petitioners,

492 vs.

Chicago Transit Authority, et al.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Seventh Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Nahum Birnbaum, et al.,

Petitioners,

259, Misc. vs.

Honorable Evan A. Evans, et al., as Judges, United States Circuit Court of Appeals for the Seventh Circuit.

ON CONSIDERATION of the motion for leave to file a petition for writ of mandamus herein,

IT IS ORDERED by this Court that the said motion be, and it is hereby, denied.

Per Mr. Chief Justice Vinson.

John Bruszewski,

Petitioner,

475 vs.

Isthmian Steamship Company.

ON CONSIDERATION of the motion to dispense with the printing of the petition, brief, and record in this case,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, granted.

Per Mr. Chief Justice Vinson.

John Bruszewski,

Petitioner,

475 vs.

Isthmian Steamship Company.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Third Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

John Porter Monroe,

Petitioner,

477 vs.

The United States of America.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Second Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Burton took no part in the consideration or decision of this application.

Securities and Exchange Commission,

Petitioner,

480 vs.

Philadelphia Company.

On petition for writ of certiorari to the United States Court of Appeals for the District of Columbia.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the District of Columbia, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Stanley John Flakowicz,

Petitioner,

494 vs.

Myrl E. Alexander.

ON CONSIDERATION of the motion of counsel for petitioner to substitute the party respondent in this case,

IT IS ORDERED that Allen L. Shank be, and he is hereby, substituted as the party respondent and that the cause be so continued and maintained.

Per Mr. Chief Justice Vinson.

Stanley John Flakowicz,

Petitioner,

494 vs.

Allen L. Shank.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Second Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Murphy is of the opinion the petition for certiorari should be granted.

Wesley William Cox,

Petitioner,

66 vs.

The United States of America;

Theodore Romaine Thompson,

Petitioner,

67 vs.

The United States of America; and

Wilbur Roisum,

Petitioner,

68 vs.

The United States of America.

A petition for rehearing having been filed in these cases,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Randolph Phillips,

Petitioner,

442 vs.

The Baltimore & Ohio Railroad Company.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Globe Liquor Company, Inc.,

Petitioner,

205 vs.

Frank San Roman et al., Doing Business Under the Firm Name and Style of International Industries.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied. The motion for stay of mandate is also denied.

Per Mr. Chief Justice Vinson.

Henry B. Johnson,

Petitioner,

175, Misc. vs.

William H. Hiatt, Warden.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Willis Jr. Ritenow, Petitioner, vs. Joseph E. Ragen, Warden. 186, Misc. — On petition for writ of certiorari to the Circuit Court of Will County, State of Illinois.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Ray Leo Baugh, Petitioner, vs. Joseph E. Ragen, Warden. 231, Misc. — On petition for writ of certiorari to the Supreme Court of the State of Illinois.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

John Colier, Petitioner, vs. Alfred W. Meyer, et al. 236, Misc. — On petition for writ of certiorari to the Court of Errors and Appeals of the State of New Jersey.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Donald Hamilton Gaines, Petitioner,
253, Misc. vs.
Walter Nierstheimer, Warden.

On petition for writ of certiorari to the Circuit Court of Randolph County, State of Illinois.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

George Bird, Petitioner,
263, Misc. vs.
Joseph E. Ragen, Warden.

On petition for writ of certiorari to the Supreme Court of the State of Illinois.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Livingston Taylor, Petitioner,
277, Misc. vs.
People of the State of Illinois.

On petition for writ of certiorari to the Supreme Court of the State of Illinois.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

James B. Smith,
Petitioner,
280, Misc. vs.
People of the State of New York.

On petition for writ of certiorari to the Supreme Court of the State of New York, Kings County.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Joe Sanchez,
Petitioner,
281, Misc. vs.
Joseph E. Ragen, Warden.

On petition for writ of certiorari to the Circuit Court of Will County, State of Illinois.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Reginald J. Wheeler,
Petitioner,
300, Misc. vs.
The United States of America.

On petition for writ of certiorari to the United States Court of Appeals for the District of Columbia.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Jessie James Patton,
Petitioner,
327, Misc. vs.
The United States of America.

On petition for writ of certiorari to the United States Court of Appeals for the District of Columbia.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

In re W. Blaine Myers.
258, Misc.

ON CONSIDERATION of the application submitted herein by W. Blaine Myers,

IT IS ORDERED by this Court that the said application be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Ex parte George Henry Hawthorne,
Petitioner.
260, Misc.

ON CONSIDERATION of the motion for leave to file a petition for writ of habeas corpus herein,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

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The United States of America,

Appellant,

198 vs.

South Buffalo Railway Company, Bethlehem Steel Company and Bethlehem Steel Corporation.

Argued by Mr. Solicitor General Perlman for the appellant, and by Mr. Bruce Bromley for the appellees.

Joseph Estin,

Petitioner,

139 vs.

Gertrude Estin; and

Louis Kreiger,

Petitioner,

371 vs.

Helene Kreiger.

Leave granted petitioner in No. 371 to file reply brief by Monday, next. Argument commenced by Mr. James G. Purdy for the petitioners, and continued by Mr. Roy Guthman for the respondent in No. 139.

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Proclamation being made the Court is adjourned until tomorrow at 12 o'clock.

TUESDAY, FEBRUARY 3, 1948.

Pursuant to adjournment the Court met at the Supreme Court Building.

PRESENT:

The Honorable Fred M. Vinson, Chief Justice,
Hugo L. Black,
Stanley Reed,
Felix Frankfurter,
William O. Douglas,
Frank Murphy,
Robert H. Jackson,
Wiley Rutledge,
Harold H. Burton. Associate Justices.

Thomas Ennalls Waggaman, Esquire, Marshal,

Charles Elmore Cropley, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Forrest C. Donnell, It is ordered that C. Willard Max, Esquire, of Saint Louis, State of Missouri, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Edward M. Reidy, It is ordered that John P. Staley, Esquire, of Chicago, State of Illinois, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Homer Ferguson, It is ordered that Carl R. Thomsen, Esquire, of Detroit, State of Michigan, and Orland M. Ellis, Esquire, of Detroit, State of Michigan, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Lawrence C. Kingsland, It is ordered that Kenneth Swartwood, Esquire, of Birmingham, State of Michigan, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Joseph C. Waddy, It is ordered that James G. Tyson, Esquire, of Washington, District of Columbia, and Augustus W. Gray, Esquire, of Washington, District of Columbia, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Miss Patricia H. Collins, It is ordered that Louisa Wilson, of Washington, District of Columbia, and Eileen C. O'Connor, of Washington, District of Columbia, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly. (Miss; Miss)

On motion first made to the Court in this behalf by Mr. Dayton M. Harrington, It is ordered that Maurice H. Samuels, Esquire, of Newark, State of New Jersey, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Albert Brick, It is ordered that Milton Mindell, Esquire, of Washington, District of Columbia; Ellis Edlowitz, Esquire, of Washington, District of Columbia; and Charles J. King, Esquire, of Washington, District of Columbia, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Ward Monroe French, It is ordered that Jerome J. Dick, Esquire, of New York, State of New York, and Irvine E. Ungerman, Esquire, of Tulsa, State of Oklahoma, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Irving R. M. Panzer, It is ordered that Arthur D. Herrick, Esquire, of New York, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Milton D. Newman, It is ordered that Hubert T. Hair, Esquire, of Washington, District of Columbia, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Edwin A. Myers, It is ordered that Alexander A. Fleischfarb, Esquire, of Washington, District of Columbia, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

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Joseph Estin,

Petitioner,

139 vs.

Gertrude Estin; and

Louis Kreiger,

Petitioner,

371 vs.

Helene Kreiger.

Argument continued by Mr. Roy Guthman for the respondent in No. 139; by Mr. Charles Rothenberg for the respondent in No. 371, and concluded by Mr. James G. Purdy for the petitioners.

The United States of America,

Appellant,

15 vs.

Paul Evans.

Argued by Mr. David Reich for the appellant, and by Mr. David Ginsburg for the appellee.

John Henry Brunson,

Petitioner,

292 vs.

State of North Carolina;

Essie King,

Petitioner,

293 vs.

State of North Carolina;

Martha Jones,

Petitioner,

294 vs.

State of North Carolina;

Louise James (Alias Moore), and
Evelyn Childs,

Petitioners,

295 vs.

State of North Carolina; and

Lida Mae Watkins, Celia Ann Purcell,
James Edward Sturdivant, et al.,

Petitioners,

296 vs.

State of North Carolina.

Argued by Mr. William Reid Dalton for the petitioners, and by Mr. Ralph Moody for the respondent.

United States of America, Interstate
Commerce Commission and Swift & Company,

Appellants,

223 vs.

The Baltimore and Ohio Railroad Company, et al.

Argument commenced by Mr. Frederick Bernays Wiener for the appellants, the United States of America and Interstate Commerce Commission.

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Proclamation being made the Court is adjourned until tomorrow at 12 o'clock

Pursuant to adjournment the Court met at the Supreme Court Building.

PRESENT:

The Honorable Fred M. Vinson, Chief Justice,
Hugo L. Black,
Stanley Reed,
Felix Frankfurter,
William O. Douglas,
Frank Murphy,
Robert H. Jackson,
Wiley Rutledge,
Harold H. Burton. Associate Justices.

Thomas Ennalls Waggaman, Esquire, Marshal,

Charles Elmore Cropley, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Ray E. Dougherty, It is ordered that Charles Bernard Mollis, Esquire, of Perry, State of Iowa, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Tom Pickett, It is ordered that Milton Joseph Mehl, Esquire, of Fort Worth, State of Texas, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Archibald King, It is ordered that Paul M. Frederick, Esquire, of Boston, Commonwealth of Massachusetts, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. F. Trowbridge vom Baur, It is ordered that Arthur P. West, Esquire, of New York, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. John Melvin Dickerman, It is ordered that Angus M. MacNeil, Esquire, of Boston, Commonwealth of Massachusetts, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Charles J. Zinn, It is ordered that J. Courtney McGroarty, Esquire, of Brooklyn, State of New York, and John M. Kearney, Esquire, of Brooklyn, State of New York, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. A. Yates Dowell, It is ordered that Arthur C. Melervey, Esquire, of New York, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. George Thomas Washington, It is ordered that Stewart G. Henock, Esquire, of Madison, State of Wisconsin, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

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United States of America, Interstate Commerce Commission and Swift & Company,

Appellants,

223 vs.

The Baltimore and Ohio Railroad Company, et al.

Argument continued by Mr. Frederick Bernays Wiener for the appellants, the United States of America and Interstate Commerce Commission; by Mr. Ashley Sellers for the appellee, Cleveland Union Stock Yards Company, and concluded by Mr. Robert R. Pierce for the appellees, New York Central Railroad Company, et al. Case submitted by Mr. William M. Strack and Mr. John P. Staley for the appellant, Swift & Company.

Tighe E. Woods, Housing Expediter,
Office of Housing Expediter,

Petitioner,

392 vs.

Charles Stone.

Argued by Mr. Stanley M. Silverberg for the petitioner, and by Mr. James F. Brennan for the respondent.

Roy Cole and Louis Jones,

Petitioners,

373 vs.

State of Arkansas.

Argument commenced by Mr. David Rein for the petitioners; continued by Mr. Joseph Forer for the petitioners, and by Mr. Oscar E. Ellis and Mr. Shields M. Goodwin for the respondent.

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Proclamation being made the Court is adjourned until tomorrow at 12 o'clock.

THURSDAY, JANUARY 5, 1942.

Pursuant to adjournment the Court met at the Supreme Court Building.

PRESENT:

The Honorable Fred M. Vinson, Chief Justice,
Hugo L. Black,
Stanley Reed,
Felix Frankfurter,
William O. Douglas,
Frank Murphy,
Robert H. Jackson,
Wiley Rutledge,
Harold H. Burton,
Associate Justices.

Thomas Ennalls Waggaman, Esquire, Marshal,

Charles Elmore Cropley, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. William Langer, It is ordered that Albert W. Dilling, Esquire, of Chicago, State of Illinois, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Clyde R. Hoey, It is ordered that Paul Cameron Whitlock, Esquire, of Charlotte, State of North Carolina, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. William A. Sutherland, It is ordered that John S. Candler, II, Esquire, of Atlanta, State of Georgia, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. A. Leonard Allen, It is ordered that Clarence E. Barnes, Esquire, of Guthrie, State of Oklahoma, and Roberts Poinsett Johnson, Jr., Esquire, of Winnfield, State of Louisiana, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Clair Engle, It is ordered that Earl Redwine, Esquire, of Riverside, State of California, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. John H. Pickering, It is ordered that Robert McCormack, Esquire, of New York, State of New York, and Charles L. Kent, Esquire, of New York, State of New York, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Paul E. Shorb, It is ordered that Henry M. Hogan, Esquire, of Detroit, State of Michigan, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Walter H. Maloney, It is ordered that Jack Victor Schultz, Esquire, of Kansas City, State of Missouri, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. David Wisner, It is ordered that Joseph Lieberman, Esquire, of Newark, State of New Jersey, and Sydney Herman Cohen, Esquire, of Bloomfield, State of New Jersey, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. William Wallace Cochran, It is ordered that Laurence V. Efner, Esquire, of Washington, District of Columbia, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Stoddard M. Stevens, Jr., It is ordered that Gray Thoron, Esquire, of New York, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. William Wallace Cochran, It is ordered that Leighton W. Johnston, Esquire, of Washington, District of Columbia, and Chester L. Justus, Esquire, of Washington, District of Columbia, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

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Roy Cole and Louis Jones,

Petitioners,

373 vs.

State of Arkansas.

Argument continued by Mr. Shields M. Goodwin for the respondent, and concluded by Mr. David Rein for the petitioners.

Jackie Packer Francis, a Minor, et al., etc.,

Petitioners,

400 vs.

Southern Pacific Company.

Argued by Mr. Parnell Black for the petitioners, and by Mr. Paul H. Ray for the respondent.

Timoteo Mariano Andres,

Petitioner,

431 vs.

The United States of America.

Argued by Mr. Oliver P. Soares for the petitioner, and by Mr. Vincent Kleinfeld for the respondent.

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Admiral Dewey Adamson,

Petitioner,

350, Misc. vs.

People of the State of California.

ON CONSIDERATION of the application of counsel for the petitioner for a stay of the sentence of death imposed on petitioner,

IT IS ORDERED by this Court that the said application be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Admiral Dewey Adamson,

Petitioner,

350, Misc. vs.

People of the State of California.

On petition for writ of certiorari to the Supreme Court of the State of California.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Arthur R. Eggers,

Petitioner,

351, Misc. vs.

People of the State of California.

O R D E R

UPON CONSIDERATION of the petition for a writ of certiorari filed herein and the application of counsel for a stay of execution,

IT IS ORDERED that execution of the sentence of death imposed on this petitioner be, and it is, hereby stayed pending the further order of this Court.

The respondent is requested to file a response to the petition for a writ of certiorari herein.

Per Mr. Chief Justice Vinson.

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Proclamation being made the Court is adjourned until tomorrow at 12 o'clock.

MONDAY, FEBRUARY 2, 1942.

Pursuant to adjournment the Court met at the Supreme Court Building.

PRESENT:

The Honorable Fred M. Vinson, Chief Justice,
Hugo L. Black,
Stanley Reed,
Felix Frankfurter,
William O. Douglas,
Frank Murphy,
Robert H. Jackson,
Wiley Rutledge,
Harold H. Burton. Associate Justices.

Thomas Ennalls Waggaman, Esquire, Marshal,

Charles Elmore Cropley, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Francis R. Cross, It is ordered that L. James Huegel, Esquire, of Philadelphia, Commonwealth of Pennsylvania, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Wm. B. Giles, It is ordered that Frederick M. Curley, Esquire, of Philadelphia, Commonwealth of Pennsylvania, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Conrad E. Snow, It is ordered that John E. Pernice, Esquire, of New York, State of New York; James P. Gerety, Esquire, of White Plains, State of New York; and Emanuel Kintisch, Esquire, of New York, State of New York, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Frederick Bernays Wiener, It is ordered that W. Marcus Crahan, Esquire, of Fulton, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. William H. Parsons, It is ordered that R. S. Thornton, Esquire, of Alexandria, State of Minnesota, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Erle Pettus, Jr., It is ordered that Burton Allen Andrews, Esquire, of Albany, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Charles Louis Knight, It is ordered that James W. Dickey, Esquire, of Chevy Chase, State of Maryland, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. George E. Tolman, It is ordered that Marvin Glenn Bultman, Esquire, of Bakersfield, State of California, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Wendell D. Allen, It is ordered that Julius G. Maurer, Esquire, of Baltimore, State of Maryland, and Francis B. Burch, Esquire, of Baltimore, State of Maryland, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

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Tighe E. Woods, Acting Housing Expediter
of the Office of the Housing Expediter,

Appellant,

486 vs.

The Cloyd W. Miller Company, a Corporation,
and Cloyd W. Miller.

Argued by Mr. Solicitor General Perlman for the appellant, and by Mr. Paul S. Knight for the appellees.

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Proclamation being made the Court is adjourned until Monday, February 9, next, at 12 o'clock.

MONDAY, FEBRUARY 9, 19[illegible].

Pursuant to adjournment the Court met at the Supreme Court Building.

PRESENT:

The Honorable Fred M. Vinson, Chief Justice,
Hugo L. Black,
Stanley Reed,
Felix Frankfurter,
William O. Douglas,
Frank Murphy,
Robert H. Jackson,
Wiley Rutledge,
Harold H. Burton.
Associate Justices.

Thomas Ennalls Waggaman, Esquire, Marshal,

Charles Elmore Cropley, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. John W. Davis, It is ordered that Gerard A. Cartier, Esquire, of New York, State of New York; Cleveland C. Cory, Esquire, of New York, State of New York; John J. Barrett, Esquire, of New York, State of New York; Ewen Cameron MacVeagh, Esquire, of New York, State of New York; Joseph A. Macchia, Esquire, of New York, State of New York; William T. Collins, II, Esquire, of New York, State of New York; Joseph A. Bambury, Esquire, of New York, State of New York; Carroll H. Brewster, Esquire, of New York, State of New York; Stephen W. Hanley, Esquire, of New York, State of New York; Rufus D. McDonald, Esquire, of New York, State of New York; James T. McDonald, Esquire, of Brooklyn, State of New York; and Andrew Y. Rogers, Esquire, of New York, State of New York, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. David M. Potts, It is ordered that Theodore R. Kupferman, Esquire, of New York, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Solicitor General Philip B. Perlman, It is ordered that Edwin J. Wolf, Esquire, of Baltimore, State of Maryland; Robert G. Seaks, Esquire, of Harrisburg, Commonwealth of Pennsylvania; and Benito Paquino, Esquire, of New York, State of New York, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Wendell Berge, It is ordered that Harold Berkowitz, Esquire, of New York, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Frederick Bernays Wiener, It is ordered that Albert Hirst, Esquire, of New York, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. John H. Cantrell, It is ordered that B. M. Carey, Esquire, of Oklahoma City, State of Oklahoma, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. William J. Donovan, It is ordered that Gordon E. Youngman, Esquire, of New York, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Thomas T. Hogue, It is ordered that Adolph Schimel, Esquire, of New York, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mrs. Carolyn Meyall Just, It is ordered that Frank H. Ford, Esquire, of New York, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Arthur G. Silverman, It is ordered that Sol L. Firstenberg, Esquire, of New York, State of New York, and Jack Bromberg, Esquire, of New York, State of New York, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Robert W. Perkins, It is ordered that Louis J. Goffman, Esquire, of Philadelphia, Commonwealth of Pennsylvania, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Bernard G. Segal, It is ordered that Albert M. Cohen, Esquire, of Philadelphia, Commonwealth of Pennsylvania, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Herman A. Greenberg, It is ordered that Sidney A. Schreiber, Esquire, of New York, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. E. Milton Jackson, It is ordered that J. Grahame Walker, Esquire, of Washington, District of Columbia, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

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Joseph P. Maggio,

Petitioner,

38 vs.

Raymond Zeitz, as Trustee in Bankruptcy of Luna Camera Service, Inc.

On writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

THIS CAUSE came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Second Circuit, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is ordered and adjudged by this Court that the judgment of the District Court of the United States for the Southern District of New York adjudging petitioner in contempt and the judgment of the Circuit Court of Appeals affirming the order, be, and they are hereby, vacated, each party to pay his own costs in this Court.

IT IS FURTHER ORDERED that this cause be, and it is hereby, remanded to the said District Court for further proceedings in conformity with the opinion of this Court.

Per Mr. Justice Jackson.

Separate opinion by Mr. Justice Black in which Mr. Justice Rutledge concurs.

Dissenting opinion by Mr. Justice Frankfurter.

Joseph White Musser, Ray W. Musser, Charles Frederick Zitting, et al.,

Appellants,

60 vs.

The State of Utah.

Appeal from the Supreme Court of the State of Utah.

THIS CAUSE came on to be heard on the transcript of the record from the Supreme Court of the State of Utah, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court, in this cause, be, and the same is hereby, vacated, each party to pay his or its own costs in this Court; and that this cause be, and the same is hereby, remanded to the said Supreme Court for proceedings not inconsistent with the opinion of this Court.

Per Mr. Justice Jackson.

Mr. Justice Black concurs in the result.

Dissenting opinion by Mr. Justice Rutledge in which Mr. Justice Douglas and Mr. Justice Murphy concur.

Chicago and Southern Air Lines, Inc., Petitioner, vs. Waterman Steamship Corporation; and

Civil Aeronautics Board, Petitioner, vs. Waterman Steamship Corporation.

78 88

On writs of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit.

THIS CAUSE came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Fifth Circuit, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is ordered and adjudged by this Court that the judgment of the said United States Circuit Court of Appeals, in this cause, be, and the same is hereby, reversed, petitioners in this Court, except the Civil Aeronautics Board, to recover their costs in this Court.

IT IS FURTHER ORDERED that this cause be, and the same is hereby, remanded to the Circuit Court of Appeals for proceedings in conformity with the opinion of this Court.

Per Mr. Justice Jackson.

Dissenting opinion by Mr. Justice Douglas in which Mr. Justice Black, Mr. Justice Reed, and Mr. Justice Rutledge concur.

Robert C. Johnson, Petitioner, vs. The United States of America.

138

On writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit.

THIS CAUSE came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Ninth Circuit, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is ordered and adjudged by this Court that the judgment of the said Circuit Court of Appeals, in this cause, be, and the same is hereby, affirmed in part and reversed in part as indicated in the opinion of this Court.

IT IS FURTHER ORDERED that petitioner recover his taxable costs in this Court.

IT IS FURTHER ORDERED that this cause be, and the same is hereby, remanded to the District Court of the United States for the Southern District of California for proceedings in conformity with the opinion of this Court.

Per Mr. Justice Douglas.

Opinion by Mr. Justice Frankfurter dissenting in part in which Mr. Justice Jackson and Mr. Justice Burton join.

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The Chief Justice said:

"The orders of the Court appear upon the list certified by the Chief Justice and filed with the Clerk and will not be announced orally."

The Federal Crop Insurance Corporation,

Petitioner,

45 vs.

A. A. Merrill and M. D. Merrill, Co-partners, Doing Business Under the Firm Name and Style of Merrill Bros.

ON CONSIDERATION of the motion of respondents to tax costs, it is ordered that there be taxed against respondents as cost for printing the record an amount equal to that which the Court's contract printer would be authorized to charge at prevailing rates.

Per Mr. Chief Justice Vinson.

James M. Hurd and Mary I. Hurd,

Petitioners,

290 vs.

Frederic E. Hodge, et al.; and

MONDAY, FEBRUARY 9, 1948 - ORDERS.

Raphael G. Urciolo, Robert H. Rowe,
Isabelle J. Rowe, et al.,

Petitioners,

291 vs.

Frederic E. Hodge, et al.

The motion of petitioners for leave to submit Press Release of January 19, 1948, and Community Conservation Agreement adopted by the Oakland-Kenwood Property Owners Association of Chicago is denied.

Per Mr. Chief Justice Vinson.

The United States of America,

Appellant,

544 vs.

National City Lines, Inc., American
City Lines, Inc., et al.

The statement of jurisdiction in this case having been submitted and considered by the Court, probable jurisdiction is noted.

Per Mr. Chief Justice Vinson.

Donald Loftus,

Petitioner,

59 vs.

People of the State of Illinois.

On petition for writ of certiorari to the Supreme Court of the State of Illinois.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, granted.

Per Mr. Chief Justice Vinson.

Joseph Paterno,

Petitioner,

233, Misc. vs.

John A. Lyons, Commissioner of Correction of the State of New York.

On petition for writ of certiorari to the Court of Appeals of the State of New York.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, granted and the case is transferred to the appellate docket as No. 583, October Term, 1947.

Per Mr. Chief Justice Vinson.

Louise Camp, Administratrix of the Estate of Irving (Ervin) Camp, Deceased,

Petitioner,

472 vs.

Frank A. Thompson, Trustee for the St. Louis-San Francisco Railway Company, Debtor.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Sixth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Frank A. Thompson, Trustee for the St. Louis-San Francisco Railway Company, Debtor,

Petitioner,

517 vs.

Louise Camp, Administratrix of the Estate of Ervin (Irving) Camp, Deceased.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Sixth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

A. J. Paretta Contracting Co., Inc., Petitioner, vs. The United States. — On petition for writ of certiorari to The Court of Claims.

482

ON CONSIDERATION of the petition for a writ of certiorari herein to the Court of Claims and of the argument of counsel thereupon had, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Kennecott Copper Corporation, Petitioner, vs. Salt Lake County, a Political Subdivision of the State of Utah. — On petition for writ of certiorari to the United States Circuit Court of Appeals for the Tenth Circuit.

496

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Tenth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Silver King Coalition Mines Company, Petitioner, vs. Summit County, a Body Corporate and Politic of the State of Utah, et al. — On petition for writ of certiorari to the United States Circuit Court of Appeals for the Tenth Circuit.

497

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Tenth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Park Utah Consolidated Mines Co., Petitioner,
498 vs.
Summit County, a Body Corporate and Politic of the State of Utah, et al.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Tenth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Tenth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Park Utah Consolidated Mines Co., Petitioner,
499 vs.
Wasatch County, a Body Corporate and Politic of the State of Utah, et al.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Tenth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Tenth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

New Park Mining Company, Petitioner,
500 vs.
Wasatch County, a Body Corporate and Politic of the State of Utah, et al.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Tenth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Tenth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

A. B. T. Manufacturing Corporation, Petitioner, vs. National Slug Rejectors, Inc.

506 On petition for writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Seventh Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Ray C. Stevenson, Petitioner, vs. James A. Johnston, Warden, United States Penitentiary, Alcatraz, California.

510 On petition for writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Ninth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Vincent Bruno, Petitioner, vs. The United States of America.

511 On petition for writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Ninth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

The Ohio Oil Company,
Petitioner,
vs.
The United States of America.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Tenth Circuit.

516

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Tenth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Wabash Railroad Company,
Petitioner,
vs.
Ocie Hampton, Administratrix of the Estate of John Leo Hampton, Deceased.

On petition for writ of certiorari to the Supreme Court of the State of Missouri.

520

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of Missouri, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

William Clark,
Petitioner,
vs.
The United States.

On petition for writ of certiorari to The Court of Claims.

470

ON CONSIDERATION of the petition for a writ of certiorari herein to the Court of Claims and of the argument of counsel thereupon had, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Murphy and Mr. Justice Jackson took no part in the consideration or decision of this application.

Patrick Flaherty,

Petitioner,

1455 O.T. '46 vs.

The People of the State of Illinois.

ON CONSIDERATION of the motion for leave to file a fifth petition for rehearing in this case,

IT IS ORDERED by this Court that leave to file a fifth petition for rehearing, be, and it is hereby, denied.

Per Mr. Chief Justice Vinson.

Donald M. Johnson,

Petitioner,

459 vs.

The United States of America.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Murphy and Mr. Justice Jackson took no part in the consideration or decision of this application.

Ex parte Dexter G. Dayton,

Petitioner.

85, Misc. O.T. '46.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Sidney J. Thompson,

Petitioner,

197, Misc. vs.

Dr. M. J. Pescor, Warden.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

William Anderson,

Petitioner,

244, Misc. vs.

Walter Miorstheimer, Warden.

On petition for writ of certiorari to the Supreme Court of the State of Illinois.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

James Ernest,

Petitioner,

252, Misc. vs.

Joseph E. Ragen, Warden.

On petition for writ of certiorari to the Criminal Court of Cook County; Circuit Court of Will County, and the Supreme Court of the State of Illinois.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Donald Skane, Petitioner, 285, Misc. vs. Joseph E. Ragen, Warden.

On petition for writ of certiorari to the Circuit Court of Kane County, State of Illinois.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Max Gutkowsky, Petitioner, 301, Misc. vs. Joseph E. Ragen, Warden.

On petition for writ of certiorari to the Circuit Court of Will County, State of Illinois.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Otis Gunn, Petitioner, 308, Misc. vs. Ben B. Stewart, Warden.

On petition for writ of certiorari to the Supreme Court of the State of Missouri.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Frank Pasco,

Petitioner,

521, Misc. vs.

T. J. Burke, Warden.

On petition for writ of certiorari to the Supreme Court of the Commonwealth of Pennsylvania.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Ray F. Harris,

Petitioner,

284, Misc. vs.

Walter Wierstheimer, Warden.

ON CONSIDERATION of the motion for leave to file a petition for writ of habeas corpus herein,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

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The Court will take a recess from Monday, February 16, until Monday, March 8, next.

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The United States of America,

Appellant,

79 vs.

Paramount Pictures, Inc., et al.;

Loew's Incorporated, et al.,

Appellants,

80 vs.

The United States of America;

Paramount Pictures, Inc., et al.,

Appellants,

81 vs.

The United States of America;

Columbia Pictures Corporation, et al.,

Appellants,

82 vs.

The United States of America;

United Artists Corporation,

Appellant,

83 vs.

The United States of America;

Universal Pictures Company, Inc., etc., et al.,

Appellants,

84 vs.

The United States of America;

American Theatres Association, Inc., et al.,

Appellants,

85 vs.

The United States of America; and

W. C. Allred, et al.,

Appellants,

6 vs.

The United States of America.

Nine and one-half hours allowed for oral argument. Argument commenced by Mr. Attorney General Clark for the United States; continued by Mr. Thurman Arnold for American Theatres Association, Inc., et al., (85); by Mr. John G. Jackson and Mr. Robert T. Barton, Jr., for W. C. Allred, et al., (86); and by Mr. John W. Davis for Loew's Incorporated, (80).

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Proclamation being made the Court is adjourned until tomorrow at 12 o'clock.

TUESDAY, FEBRUARY 10, 1948.

Pursuant to adjournment the Court met at the Supreme Court Building.

PRESENT:

The Honorable Fred M. Vinson, Chief Justice,
Hugo L. Black,
Stanley Reed,
Felix Frankfurter,
William O. Douglas,
Frank Murphy,
Robert H. Jackson,
Wiley Rutledge,
Harold H. Burton,
Associate Justices.

Thomas Ennalls Waggaman, Esquire, Marshal,

Charles Elmore Cropley, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Edward J. Devitt, It is ordered that E. C. Hume, Jr., Esquire, of Louisville, Commonwealth of Kentucky, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Abner H. Ferguson, It is ordered that Charles C. Wise, Jr., Esquire, of Charleston, State of West Virginia, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Maurice W. Covert, It is ordered that Jean Paul Bradshaw, Esquire, of Lebanon, State of Missouri, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. William G. Stigler, It is ordered that Joe M. Whitaker, Esquire, of Eufaula, State of Oklahoma, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Bernard G. Segal, It is ordered that J. Pennington Straus, Esquire, of Philadelphia, Commonwealth of Pennsylvania, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Vivian A. Clements, Jr., It is ordered that Edward Blackman, Esquire, of Chicago, State of Illinois, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Matthias N. Orfield, It is ordered that E. Luther Melin, Esquire, of Minneapolis, State of Minnesota, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. A. Norman Somers, It is ordered that Samuel M. Kaynard, Esquire, of New York, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Paul Atlee Walker, It is ordered that Forrester Brewster, Esquire, of Muskogee, State of Oklahoma, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Lewis M. Stevens, It is ordered that Joseph A. Whelan, Esquire, of Philadelphia, Commonwealth of Pennsylvania, and Daniel Mungall, Jr., Esquire, of Rosemont, Commonwealth of Pennsylvania, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

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The United States of America,

Appellant,

79 vs.

Paramount Pictures, Inc., et al.;

Loew's Incorporated, et al.,

Appellants,

80 vs.

The United States of America;

Paramount Pictures, Inc., et al.,

Appellants,

81 vs.

The United States of America;

Columbia Pictures Corporation, et al.,

Appellants,

82 vs.

The United States of America;

United Artists Corporation,

Appellant,

83 vs.

The United States of America;

Universal Pictures Company, Inc., etc., et al.,

Appellants,

84 vs.

The United States of America;

American Theatres Association, Inc., et al.,

Appellants,

85 vs.

The United States of America; and

W. C. Allred, et al.,

Appellants,

86 vs.

The United States of America.

Argument continued by Mr. John W. Davis for Loew's Incorporated

(80); by Mr. Whitney North Seymour for Paramount Pictures, Inc., et al. (81); by Mr. William J. Donovan for Radio-Keith-Orpheum Corporation, et al. (80); by Mr. Louis D. Frohlich for Columbia Pictures Corporation, et al. (82); by Mr. Thomas Turner Cooke for Universal Pictures Company, Inc., et al. (84); by Mr. George A. Raftery for United Artists Corporation (83); and by Mr. Joseph M. Proskauer for Warner Bros. Pictures, Inc., et al. (80).

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Proclamation being made the Court is adjourned until tomorrow at 12 o'clock.

WEDNESDAY, FEBRUARY 11, 1948.

Pursuant to adjournment the Court met at the Supreme Court Building.

PRESENT:

The Honorable Fred M. Vinson, Chief Justice,
Hugo L. Black,
Stanley Reed,
Felix Frankfurter,
William O. Douglas,
Frank Murphy,
Robert H. Jackson,
Wiley Rutledge,
Harold H. Burton.
Associate Justices.

Thomas Ennalls Waggaman, Esquire, Marshal,

Charles Elmore Cropley, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. John F. Wilkinson, It is ordered that Isidore Ehrman, Esquire, of New York, State of New York, and I. Saul Fleischman, Esquire, of New York, State of New York, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Robert E. Mullin, It is ordered that Daniel J. Harrington, Esquire, of Los Angeles, State of California, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Robert J. Rubin, It is ordered that Ezra E. Stern, Esquire, of Los Angeles, State of California, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Allan R. Rosenberg, It is ordered that Milton Paulson, Esquire, of New York, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Paul L. Anderson, It is ordered that John S. Neel, Esquire, of High Springs, State of Florida, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Charles T. Akre, It is ordered that Sidney Mogul, Esquire, of Chicago, State of Illinois, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Samuel W. Mc Intosh, It is ordered that Theodore H. Hammett, Esquire, of Tulsa, State of Oklahoma, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Arthur B. Hanson, It is ordered that Lawrence J. Verdier, Esquire, of Detroit, State of Michigan, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Louis Loss, It is ordered that Ellwood L. Englander, Esquire, of Philadelphia, Commonwealth of Pennsylvania, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

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The United States of America,

Appellant,

79 vs.

Paramount Pictures, Inc., et al.;

Loew's Incorporated, et al.,

Appellants,

80 vs.

The United States of America;

Paramount Pictures, Inc., et al.,

Appellants,

81 vs.

The United States of America;

Columbia Pictures Corporation, et al.,

Appellants,

82 vs.

The United States of America;

United Artists Corporation,

Appellant,

83 vs.

The United States of America;

Universal Pictures Company, Inc., etc., et al.,

Appellants,

84 vs.

The United States of America;

American Theatres Association, Inc., et al.,

Appellants,

85 vs.

The United States of America; and

W. C. Allred, et al.,

Appellants,

86 vs.

The United States of America.

Argument continued by Mr. James F. Byrnes for Twentieth Century Fox, et al. (80); by Mr. Robert L. Wright for The United States (80-86); and concluded by Mr. Assistant Attorney General Sonnett for The United States (79).

Peggy Shade, Full Blood Cherokee Indian,
Roll No. 14,147,

448 vs.

Lucy Downing, Now Foster, et al.

Argued by Mr. Kelly Brown for Shade, and by Mr. Forrester Brewster for Downing, et al.

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Proclamation being made the Court is adjourned until tomorrow at 12 o'clock.

THURSDAY, FEBRUARY 12, 1948.

Pursuant to adjournment the Court met at the Supreme Court Building.

PRESENT:

The Honorable Fred M. Vinson, Chief Justice,
Hugo L. Black,
Stanley Reed,
Felix Frankfurter,
William O. Douglas,
Frank Murphy,
Robert H. Jackson,
Wiley Rutledge,
Harold H. Burton,
Associate Justices.

Thomas Ennalls Waggaman, Esquire, Marshal,

Charles Elmore Cropley, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Howard Cecil Kilpatrick, It is ordered that Benjamin Clark Hilliard, Jr., Esquire, of Denver, State of Colorado, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. John E. Powell, It is ordered that Stuart Edward Fletcher, Esquire, of Cincinnati, State of Ohio, and Richard Dunham Sowder, Esquire, of Washington, District of Columbia, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Henry P. Chandler, It is ordered that Milton Perlman, Esquire, of Chicago, State of Illinois, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. William Creighton Wines, It is ordered that William Rufus Morgan, Esquire, of Chicago, State of Illinois, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

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George Cornelius Moore and Lester Haughton,

Petitioners,

485 vs.

The People of the State of New York.

Argued by Mr. John F. Wilkinson for the petitioners, and by Mr. George Tilzer for the respondent.

Roy Bute,

Petitioner,

398 vs.

People of the State of Illinois.

Argued by Mr. Victor Brudney for the petitioner, and by Mr. William C. Wines for the respondent.

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Proclamation being made the Court is adjourned until tomorrow at 12 o'clock.

FRIDAY, FEBRUARY 13, 1948.

Pursuant to adjournment the Court met at the Supreme Court Building.

PRESENT:

The Honorable Fred M. Vinson, Chief Justice,
Hugo L. Black,
Stanley Reed,
Felix Frankfurter,
William O. Douglas,
Frank Murphy,
Robert H. Jackson,
Wiley Rutledge,
Harold H. Burton. Associate Justices.

Thomas Ennalls Waggaman, Esquire, Marshal,

Charles Elmore Cropley, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Nelson J. Jewett, It is ordered that Ernest P. Rogers, Esquire, of Atlanta, State of Georgia, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. J. Ross Gamble, It is ordered that John C. Hauck, Esquire, of Butte, State of Montana, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

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Harrison Parker,

Petitioner,

270 vs.

People of the State of Illinois; and

Harrison Parker,

Petitioner,

428 vs.

People of the State of Illinois.

Motion of respondent for leave to file certified transcripts of two pages of petitioner's brief in the Appellate Court of Illinois granted. Argued by Mr. Harrison Parker, pro se, and by Mr. William C. Wines for the respondent.

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Proclamation being made the Court is adjourned until Monday, February 16, next, at 12 o'clock.

MONDAY, FEBRUARY 16, 1942.

Pursuant to adjournment the Court met at the Supreme Court Building.

PRESENT:

The Honorable Fred M. Vinson, Chief Justice,
Hugo L. Black,
Stanley Reed,
Felix Frankfurter,
William O. Douglas,
Frank Murphy,
Robert H. Jackson,
Wiley Rutledge,
Harold H. Burton.
Associate Justices.

Thomas Ennalls Waggaman, Esquire, Marshal,

Charles Elmore Cropley, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. William G. Stigler, It is ordered that Julian J. Rothbaum, Esquire, of Tulsa, State of Oklahoma, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Ralph H. Dwan, It is ordered that Bruce M. Johnson, Esquire, of Indianapolis, State of Indiana, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Jos. R. Bryson, It is ordered that Joseph E. Hines, Esquire, of Spartanburg, State of South Carolina, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Joseph W. Wyatt, It is ordered that Wm. R. Furlong, Jr., Esquire, of Roscoe, Commonwealth of Pennsylvania, and Samuel Craighead Caldwell, Esquire, of Charlotte, State of North Carolina, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. J. Ross Gamble, It is ordered that Donald D. Harries, Esquire, of Duluth, State of Minnesota, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Earl Whittier Shinn, It is ordered that James Blaine McKay, Esquire, of El Dorado, State of Kansas, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Nathan Siegel, It is ordered that Ephraim S. London, Esquire, of New York, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Maurice W. Covert, It is ordered that Harold M. Gutekunst, Esquire, of Moberly, State of Missouri, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. J. Louis Monarch, It is ordered that Frank L. Luce, Jr., Esquire, of Philadelphia, Commonwealth of Pennsylvania, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Samuel Lebowitz, It is ordered that Henry Heyman, Esquire, of Washington, District of Columbia, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

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Funk Brothers Seed Company,
Petitioner,
vs.
Kalo Inoculant Company.

On writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit.

280

THIS CAUSE came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Seventh Circuit, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is ordered and adjudged by this Court that the judgment of the said United States Circuit Court of Appeals, in this cause, be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the District Court of the United States for the Southern District of Illinois for proceedings in conformity with the opinion of this Court.

Per Mr. Justice Douglas.

Concurring opinion by Mr. Justice Frankfurter.

Dissenting opinion by Mr. Justice Burton in which Mr. Justice Jackson concurs.

Tighe E. Woods, Housing Expediter, Office of the Housing Expediter,
Appellant,
vs.
The Cloyd W. Miller Company, a Corporation, and Cloyd W. Miller.

Appeal from the District Court of the United States for the Northern District of Ohio.

486

THIS CAUSE came on to be heard on the transcript of the record from the District Court of the United States for the Northern District of Ohio, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is ordered, adjudged, and decreed by this Court that the decree of the said District Court in this cause be, and the same is hereby, reversed; and that this cause be, and the same is hereby, remanded to the said District Court for proceedings in conformity with the opinion of this Court.

Per Mr. Justice Douglas.

Concurring: Mr. Justice Frankfurter.

Concurring opinion by Mr. Justice Jackson.

Seaboard Air Line Railroad Company, Appellant, vs. John M. Daniel, as Attorney General of the State of South Carolina, and W. P. Blackwell, as Secretary of State of South Carolina.

390

Appeal from the Supreme Court of the State of South Carolina.

THIS CAUSE came on to be heard on the transcript of the record from the Supreme Court of the State of South Carolina, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court, in this cause, be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the said Supreme Court for proceedings not inconsistent with the opinion of this Court.

Per Mr. Justice Black.

Ada Lois Sipuel Fisher, Petitioner, vs. Honorable Thurman S. Hurst, Chief Justice, et al., etc.

325, Misc.

On Motion for leave to file a petition for writ of mandamus.

ON CONSIDERATION of the motion for leave to file a petition for writ of mandamus herein,

IT IS ORDERED by this Court that the said motion be, and it is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Murphy is of the opinion that a hearing should be had in order to determine whether the action of the Oklahoma courts subsequent to the issuance of this Court's mandate constitutes an evasion of that mandate.

Dissenting opinion by Mr. Justice Rutledge.

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The Chief Justice announced the following orders of the Court:

State of Indiana, on Relation of John L. Mavity,

Appellant,

545 vs.

Robert H. Tyndall, William H. Remy, Paul Robertson, et al.

Appeal from the Supreme Court of the State of Indiana.

THIS CAUSE came on to be heard on the transcript of the record from the Supreme Court of the State of Indiana, and was duly submitted.

ON CONSIDERATION WHEREOF, It is now here ordered by this Court that the appeal herein be, and the same is hereby, dismissed for the want of a substantial federal question.

Per Mr. Chief Justice Vinson.

Pacific Employers Insurance Company,

Appellant,

557 vs.

Industrial Accident Commission of the State of California, et al.

Appeal from the District Court of Appeal of the State of California, 1st Appellate District.

THIS CAUSE came on to be heard on the transcript of the record from the District Court of Appeal of the State of California, 1st Appellate District, and was duly submitted.

ON CONSIDERATION WHEREOF, It is now here ordered by this Court that the appeal herein be, and the same is hereby, dismissed for the want of a substantial federal question.

Per Mr. Chief Justice Vinson.

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The Chief Justice said:

"The other orders of the Court appear upon the list certified by the Chief Justice and filed with the Clerk and will not be announced orally."

The State of Illinois,

Complainant,

9, Original vs.

The State of Indiana, et al.

ON CONSIDERATION of the motion of Allen P. Twyman for leave to withdraw his appearance as counsel for the City of East Chicago, Indiana, in this case,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, granted.

Per Mr. Chief Justice Vinson.

The United States of America,

Complainant,

10, Original vs.

The State of Wyoming and The Ohio Oil Company.

The motion of the United States for an interlocutory decree is granted. Pursuant to the decision of this Court rendered June 2, 1947, it is hereby ordered, adjudged, and decreed as follows:

1. The United States is now and at all times herein material has been the owner in fee and entitled to the possession of Section 36 of Township 58, North of Range 100, West of the Sixth Principal Meridian, located in Park County, Wyoming.

2. The defendants have no right, title or interest in or to said land or any part thereof.

3. The defendants are hereby perpetually enjoined from asserting any right, title or interest to said land or any part thereof.

4. Jurisdiction of this cause is retained by the Court for the purpose of making such other and further orders and decrees as may be necessary.

Per Mr. Chief Justice Vinson.

Emil Lustig, alias Dr. Edward E. Fisher, Order allowing certiorari.

Petitioner,

1389 O.T. '46 vs.

The United States of America.

The petition received from petitioner on July 5, 1947, as supplemented by his petition received January 28, 1948, is treated as a petition for rehearing and rehearing is granted. The order of this Court entered June 16, 1947, denying certiorari is vacated and the petition for writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit is granted.

Per Mr. Chief Justice Vinson.

Hazel E. Briggs, as Administratrix of the Goods, Chattels and Credits Which Were of Ralph Briggs, Deceased, Order allowing certiorari.

Petitioner,

530 vs.

The Pennsylvania Railroad Company.

The petition herein for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit is granted, and the case is transferred to the summary docket.

And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

Bibb Manufacturing Company, On petition for writ of certiorari

Petitioner, to the United States Circuit Court

495 vs. of Appeals for the Fifth Circuit.

William R. McComb, as Administrator of the Wage and Hour Division, United States Department of Labor.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Fifth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Foreman's Association of America,
Petitioner,
502 vs.
L. A. Young Spring & Wire Corporation and National Labor Relations Board.

On petition for writ of certiorari to the United States Court of Appeals for the District of Columbia.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the District of Columbia, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Morris Shurin,
Petitioner,
521 vs.
The United States of America.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Fourth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Howard P. Root and Ray Thomas, Individually, and as Business Agent and President, Respectively, and as Representative Members of Amalgamated Meat Cutters and Butcher Workmen of America, etc.,
Petitioners,
522 vs.
Fred Wolferman, Inc.

On petition for writ of certiorari to the Supreme Court of the State of Missouri.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of Missouri, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Arthur Shilman,

Petitioner,

523 vs.

The United States of America, et al.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Second Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Irwin Kott, Israel Neddleman and Harry Weiner,

Petitioners,

532 vs.

The United States of America.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Fifth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Lee Fook,

Petitioner,

519 vs.

The United States of America.

ON CONSIDERATION of the motion to dispense with the printing of the petition and record in this case,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, granted.

Per Mr. Chief Justice Vinson.

Lee Fook,

Petitioner,

519 vs.

The United States of America.

On petition for writ of certiorari to the United States Court of Appeals for the District of Columbia.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the District of Columbia, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Joint Council Dining Car Employees, Locals 456 and 582, etc.,

Petitioner,

528 vs.

Southern Pacific Company.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Ninth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Leon Josephson,

Petitioner,

535 vs.

The United States of America.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Second Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas, Mr. Justice Murphy and Mr. Justice Rutledge are of the opinion that the petition should be granted.

Otto H. Kruger,

Petitioner,

200 vs.

Ned Whitehead, Doing Business Under the Fictitious Name of Whitehead Co.

ON CONSIDERATION of the motion for leave to file a second petition for rehearing in this case,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Benjamin F. Fields,

Petitioner,

458 vs.

The United States of America.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Burton took no part in the consideration or decision of this application.

Frank Nicholas Taras,

Petitioner,

95, Misc. vs.

People of the State of New York.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

James McGregor,

Petitioner,

135, Misc. vs.

Joseph E. Ragen, Warden.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Edward Scott Holler,

Petitioner,

200, Misc. vs.

The United States of America.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Raymond Cantrell,

Petitioner,

337, Misc. vs.

State of Missouri.

ON CONSIDERATION of the application of petitioner for leave to withdraw the petition for writ of certiorari to the Supreme Court of Missouri in this case,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, granted.

Per Mr. Chief Justice Vinson.

James W. Ross, Petitioner, vs. Walter Nierstheimer, Warden. — On petition for writ of certiorari to the Circuit Court of Randolph County, State of Illinois.

215, Misc.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Eddie Duncan, Petitioner, vs. Walter Nierstheimer, Warden. — On petition for writ of certiorari to the Supreme Court of the State of Illinois.

221, Misc.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Thomas L. Slayton, Petitioner, vs. Walter Nierstheimer, Warden. — On petition for writ of certiorari to the Supreme Court of the State of Illinois.

283, Misc.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Joseph Greco,

Petitioner,

311, Misc. vs.

State of Missouri.

On petition for writ of certiorari to the Supreme Court of the State of Missouri.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Victor Brown,

Petitioner,

315, Misc. vs.

State of Missouri.

On petition for writ of certiorari to the Supreme Court of the State of Missouri.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Donald Hugh Lilyroth,

Petitioner,

346, Misc. vs.

Joseph E. Ragen, Warden.

On petition for writ of certiorari to the Supreme Court of the State of Illinois.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Cleo M. Dickey,

Petitioner,

196, Misc. vs.

The United States of America.

ON CONSIDERATION of the motion for leave to file a petition for writ of certiorari herein,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Karl Brandt,

Petitioner,

286, Misc. vs.

The United States of America.

ON CONSIDERATION of the motion for leave to file a petition for writ of habeas corpus and prohibition herein,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Black, Mr. Justice Murphy, and Mr. Justice Rutledge are of the opinion that the petition should be set for hearing on the question of the jurisdiction of this Court.

Mr. Justice Jackson took no part in the consideration or decision of this application.

Victor Brack,

Petitioner,

287, Misc. vs.

The United States of America.

ON CONSIDERATION of the motion for leave to file a petition for writ of habeas corpus and prohibition herein,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Black, Mr. Justice Murphy, and Mr. Justice Rutledge are of the opinion that the petition should be set for hearing on the question of the jurisdiction of this Court.

Rudolph Brandt,

Petitioner,

288, Misc. vs.

The United States of America.

ON CONSIDERATION of the motion for leave to file a petition for writ of habeas corpus and prohibition herein,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Black, Mr. Justice Murphy, and Mr. Justice Rutledge are of the opinion that the petition should be set for hearing on the question of the jurisdiction of this Court.

Mr. Justice Jackson took no part in the consideration or decision of this application.

Karl Bebhardt,

Petitioner,

289, Misc. vs.

The United States of America.

ON CONSIDERATION of the motion for leave to file a petition for writ of habeas corpus herein,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Black, Mr. Justice Murphy, and Mr. Justice Rutledge are of the opinion that the petition should be set for hearing on the question of the jurisdiction of this Court.

Mr. Justice Jackson took no part in the consideration or decision of this application.

Waldemar Hoven,

Petitioner,

290, Misc. vs.

The United States of America.

ON CONSIDERATION of the motion for leave to file a petition for writ of habeas corpus and prohibition herein,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Black, Mr. Justice Murphy, and Mr. Justice Rutledge are of the opinion that the petition should be set for hearing on the question of the jurisdiction of this Court.

Mr. Justice Jackson took no part in the consideration or decision of this application.

Joachim Mrugowsky,

Petitioner,

291, Misc. vs.

The United States of America.

ON CONSIDERATION of the motion for leave to file a petition for writ of habeas corpus and prohibition herein,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Black, Mr. Justice Murphy, and Mr. Justice Rutledge are of the opinion that the petition should be set for hearing on the question of the jurisdiction of this Court.

Mr. Justice Jackson took no part in the consideration or decision of this application.

Wolfram Sievers,

Petitioner,

292, Misc. vs.

The United States of America.

ON CONSIDERATION of the motion for leave to file a petition for writ of habeas corpus herein,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Black, Mr. Justice Murphy, and Mr. Justice Rutledge are of the opinion that the petition should be set for hearing on the question of the jurisdiction of this Court.

Mr. Justice Jackson took no part in the consideration or decision of this application.

Fritz Fischer,

Petitioner,

293, Misc. vs.

The United States of America.

ON CONSIDERATION of the motion for leave to file a petition for writ of habeas corpus herein,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Black, Mr. Justice Murphy, and Mr. Justice Rutledge are of the opinion that the petition should be set for hearing on the question of the jurisdiction of this Court.

Mr. Justice Jackson took no part in the consideration or decision of this application.

Karl Genzken,

Petitioner,

294, Misc. vs.

The United States of America.

ON CONSIDERATION of the motion for leave to file a petition for writ of habeas corpus herein,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Black, Mr. Justice Murphy, and Mr. Justice Rutledge are of the opinion that the petition should be set for hearing on the question of the jurisdiction of this Court.

Mr. Justice Jackson took no part in the consideration or decision of this application.

Siegfried Handloser,

Petitioner,

295, Misc. vs.

The United States of America.

ON CONSIDERATION of the motion for leave to file a petition for writ of habeas corpus and prohibition herein,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Black, Mr. Justice Murphy, and Mr. Justice Rutledge are of the opinion that the petition should be set for hearing on the question of the jurisdiction of this Court.

Mr. Justice Jackson took no part in the consideration or decision of this application.

Gebhard Rose,

Petitioner,

296, Misc. vs.

The United States of America.

ON CONSIDERATION of the motion for leave to file a petition for writ of habeas corpus and prohibition herein,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Black, Mr. Justice Murphy, and Mr. Justice Rutledge are of the opinion that the petition should be set for hearing on the question of the jurisdiction of this Court.

Mr. Justice Jackson took no part in the consideration or decision of this application.

Iskar Schroeder,

Petitioner,

297, Misc. vs.

The United States of America.

ON CONSIDERATION of the motion for leave to file a petition for writ of habeas corpus and prohibition herein,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Black, Mr. Justice Murphy, and Mr. Justice Rutledge are of the opinion that the petition should be set for hearing on the question of the jurisdiction of this Court.

Mr. Justice Jackson took no part in the consideration or decision of this application.

Hermann Becker-Freyseng,

Petitioner,

298, Misc. vs.

The United States of America.

ON CONSIDERATION of the motion for leave to file a petition for writ of habeas corpus and prohibition herein,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Black, Mr. Justice Murphy, and Mr. Justice Rutledge are of the opinion that the petition should be set for hearing on the question of the jurisdiction of this Court.

Mr. Justice Jackson took no part in the consideration or decision of this application.

Wilhelm Beigelboeck,

Petitioner,

299, Misc. vs.

The United States of America.

ON CONSIDERATION of the motion for leave to file a petition for writ of habeas corpus and prohibition herein,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Black, Mr. Justice Murphy, and Mr. Justice Rutledge are of the opinion that the petition should be set for hearing on the question of the jurisdiction of this Court.

Mr. Justice Jackson took no part in the consideration or decision of this application.

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Proclamation being made the Court is adjourned until Monday, March 8, next, at 12 o'clock.

MONDAY, MARCH 8, 1948.

Pursuant to adjournment the Court met at the Supreme Court Building.

PRESENT:

The Honorable Fred M. Vinson, Chief Justice,
Hugo L. Black,
Stanley Reed,
Felix Frankfurter,
William O. Douglas,
Frank Murphy,
Robert H. Jackson,
Wiley Rutledge,
Harold H. Burton. Associate Justices.

Thomas Ennalls Waggaman, Esquire, Marshal,

Charles Elmore Cropley, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. James P. Kem, It is ordered that Jess M. Fisher, Esquire, of Kansas City, State of Missouri, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Solicitor General Philip B. Perlman, It is ordered that Clement L. McEachern, Esquire, of Hazlehurst, State of Mississippi, and Nathan Patz, Esquire, of Baltimore, State of Maryland, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Forrest C. Donnell, It is ordered that Claude I. Bakewell, Esquire, of Saint Louis, State of Missouri, and John S. Leahy, Jr., Esquire, of Saint Louis, State of Missouri, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Jos. R. Bryson, It is ordered that Clarence W. Ruh, Jr., Esquire, of Columbus, State of Ohio, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Homer Ferguson, It is ordered that Harry F. Smith, Esquire, of Kalamazoo, State of Michigan, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. William P. MacCracken, Jr., It is ordered that Fred E. Lindley, Esquire, of San Diego, State of California, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Miss Etta Louise Taggart, It is ordered that Edward Halle, Esquire, of New York, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Frank G. Schlosser, It is ordered that Anthony A. Calandra, Esquire, of Newark, State of New Jersey, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Charles M. Trammell, It is ordered that I. Edward Cohen, Esquire, of Portland, State of Maine, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Thomas H. Middleton, It is ordered that George B. Warburton, Esquire, of New York, State of New York; Lawrence D. Beukema, Esquire, of Grand Rapids, State of Michigan; and Richard W. Turner, Esquire, of New York, State of New York, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Patrick A. McCarran, It is ordered that Eli Grubic, Esquire, of Washington, District of Columbia, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Francis E. Walter, It is ordered that Mitchell Jenkins, Esquire, of Wilkes-Barre,

Commonwealth of Pennsylvania, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Thomas Hayward Brown, It is ordered that Gordon C. Biddle, Esquire, of Washington, District of Columbia, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Harley M. Kilgore, It is ordered that Frazer Arnold, Esquire, of Denver, State of Colorado, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Simon Fleishman, It is ordered that Harris B. Steinberg, Esquire, of New York, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Kenneth N. Parkinson, It is ordered that Samuel L. Zuckerman, Esquire, of New York, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. James R. Morford, It is ordered that Thomas Cooch, Esquire, of Wilmington, State of Delaware, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Joseph B. Friedman, It is ordered that Bello Mayer, of Suffern, State of New York, and Robert D. Scott, Esquire, of Long Beach, State of California, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly. (Miss)

On motion first made to the Court in this behalf by Mr. John M. Mason, It is ordered that Carl W. Robinson, Esquire, of Washington, District of Columbia, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Robert J. Wieferich, It is ordered that Ralph H. Lockwood, Esquire, of Washington, District of Columbia, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Gilbert L. Hall, It is ordered that Philip H. Strubing, Esquire, of Philadelphia, Commonwealth of Pennsylvania, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Herman A. Greenberg, It is ordered that Irving J. Roth, Esquire, of New York, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Thomas E. Harris, It is ordered that Eliot Bailen, Esquire, of New York, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. I. Irwin Bolotin, It is ordered that Gunther Jacobson, Esquire, of New York, State of New York, and M. Taft Woodruff, Esquire, of Washington, District of Columbia, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. John G. Morris, Jr., It is ordered that Cordelia S. Campbell, of Atlanta, State of Georgia, be admitted to practice as an Attorney and Counsellor of this Court, and she was sworn accordingly. (Mrs.)

On motion first made to the Court in this behalf by Mr. Frederick K. Arzt, It is ordered that John I. Sullivan, Esquire, of Washington, District of Columbia, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. George E. McMurray, Jr., It is ordered that John F. C. Glenn, Esquire, of Pittsburgh, Commonwealth of Pennsylvania, and John H. F. Leonard, Esquire, of Pittsburgh, Commonwealth of Pennsylvania, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. G. Bowdoin Craighill, It is ordered that William Irving Connelly, Esquire, of Washington, District of Columbia, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Frank Roberson, It is ordered that Richard Lafayette Watson, Esquire, of Columbus, State of Mississippi, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. William A. Dawson, It is ordered that O. Devere Wootton, Esquire, of American Fork, State of Utah, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

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Harry B. Mitchell, Frances Perkins, Arthur S. Flemming, Individually and as Members of the Civil Service Commission,

Petitioners,

130 vs.

Jack W. Cohen; and

Harry B. Mitchell, Frances Perkins, Arthur S. Flemming, Individually and as Members of the Civil Service Commission,

Petitioners,

131 vs.

Harry W. Hubickey.

On writs of certiorari to the United States Court of Appeals for the District of Columbia.

THIS CAUSE came on to be heard on the transcript of the record from the United States Court of Appeals for the District of Columbia, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is ordered and adjudged by this Court that the judgment of the said United States Court of Appeals, in this cause, be, and the same is hereby, reversed; and that this cause be, and the same is hereby, remanded to the District Court of the United States for the District of Columbia for proceedings in conformity with the opinion of this Court.

Per Mr. Justice Murphy.

Dissenting: Mr. Justice Douglas.

The United States of America, Appellant, vs. Line Material Company, General Electric Company, James R. Kearney Corporation, et al. — Appeal from the District Court of the United States for the Eastern District of Wisconsin.

8

THIS CAUSE came on to be heard on the transcript of the record from the District Court of the United States for the Eastern District of Wisconsin, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is ordered, adjudged, and decreed by this Court that the decree of the said District Court in this cause be, and the same is hereby, reversed; and that this cause be, and the same is hereby, remanded to the said District Court for the entry of an appropriate decree in accordance with the opinion of this Court.

Per Mr. Justice Reed.

Concurring opinion by Mr. Justice Douglas in which Mr. Justice Black, Mr. Justice Murphy, and Mr. Justice Rutledge join.

Dissenting opinion by Mr. Justice Burton in which the Chief Justice and Mr. Justice Frankfurter join.

Mr. Justice Jackson took no part in the consideration or decision of this case.

The United States of America, Appellant, vs. United States Gypsum Company, et al. — Appeal from the District Court of the United States for the District of Columbia.

13

THIS CAUSE came on to be heard on the transcript of the record from the District Court of the United States for the District of Columbia, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is ordered, adjudged, and decreed by this Court that the decree of the said District Court in this cause be, and the same is hereby, reversed; and that this cause be, and the same is hereby, remanded to the said District Court for further proceedings in conformity with the opinion of this Court.

Per Mr. Justice Reed.

Concurring opinion by Mr. Justice Frankfurter.

Mr. Justice Jackson took no part in the consideration or decision of this case.

The United States of America, Interstate Commerce Commission and Swift & Company, Appellants, vs. The Baltimore and Ohio Railroad Company, et al. — Appeal from the District Court of the United States for the Northern District of Ohio.

223

THIS CAUSE came on to be heard on the transcript of the record from the District Court of the United States for the Northern District of Ohio, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is ordered, adjudged, and decreed by this Court that the decree of the said District Court in this cause be, and the same is hereby, reversed; and that this cause be, and the same is hereby, remanded to the said District Court for proceedings in conformity with the opinion of this Court.

Per Mr. Justice Black.

Dissenting: Mr. Justice Burton.

Jesse M. Donaldson, Individually and as Postmaster General of the United States,

Petitioner,

50 vs.

Read Magazine, Inc., et al.

On writ of certiorari to the United States Court of Appeals for the District of Columbia.

THIS CAUSE came on to be heard on the transcript of the record from the United States Court of Appeals for the District of Columbia, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is ordered and adjudged by this Court that the judgment of the Court of Appeals and the judgment of the District Court in this cause, be, and they are hereby, reversed.

IT IS FURTHER ORDERED that this cause be, and it is hereby, remanded to the District Court of the United States for the District of Columbia with directions to dismiss the petition for injunction and to provide for proper return to the remitters of the impounded funds sent in response to the fraudulent advertisements and communications involved in this case.

Per Mr. Justice Black.

Dissenting opinion by Mr. Justice Burton in which Mr. Justice Douglas concurs.

Roy Cole and Louis Jones,

Petitioners,

373 vs.

State of Arkansas.

On writ of certiorari to the Supreme Court of the State of Arkansas.

THIS CAUSE came on to be heard on the transcript of the record from the Supreme Court of the State of Arkansas, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is ordered and adjudged by this Court that the judgment of the said Supreme Court, in this cause, be, and the same is hereby, reversed with costs; and that this cause, be, and the same is hereby, remanded to the said Supreme Court for proceedings not inconsistent with the opinion of this Court.

Per Mr. Justice Black.

People of the State of Illinois, ex rel. Vashti McCollum, Appellant, vs. Board of Education of School District No. 71, Champaign County, Illinois, et al. — Appeal from the Supreme Court of the State of Illinois.

90

THIS CAUSE came on to be heard on the transcript of the record from the Supreme Court of the State of Illinois, and on motion to dismiss which was argued by counsel.

ON CONSIDERATION WHEREOF, It is now here ordered by this Court that the motion to dismiss the appeal herein be, and the same is hereby, denied.

IT IS FURTHER ORDERED and adjudged by this Court that the judgment of the said Supreme Court, in this cause, be, and the same is hereby, reversed with costs; and that this cause, be, and the same is hereby, remanded to the said Supreme Court for proceedings not inconsistent with the opinion of this Court.

Per Mr. Justice Black.

Opinion by Mr. Justice Frankfurter in which Mr. Justice Jackson, Mr. Justice Rutledge, and Mr. Justice Burton join.

Concurring opinion by Mr. Justice Jackson.

Dissenting opinion by Mr. Justice Reed.

In re William Oliver, Petitioner. — On writ of certiorari to the Supreme Court of the State of Michigan.

215

THIS CAUSE came on to be heard on the transcript of the record from the Supreme Court of the State of Michigan, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is ordered and adjudged by this Court that the judgment of the said Supreme Court, in this cause, be, and the same is hereby, reversed with costs; and that this cause, be, and the same is hereby, remanded to the said Supreme Court for disposition not inconsistent with the opinion of this Court.

Per Mr. Justice Black.

Concurring opinion by Mr. Justice Rutledge.

Dissenting opinion by Mr. Justice Frankfurter.

Dissenting opinion by Mr. Justice Jackson in which Mr. Justice Frankfurter joins.

Mary Bell King,

Petitioner,

171 vs.

The Order of United Commercial Travelers of America.

On writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit.

THIS CAUSE came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Fourth Circuit, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is ordered and adjudged by this Court that the judgment of the said United States Circuit Court of Appeals, in this cause, be, and the same is hereby, affirmed with costs; and that this cause be, and the same is hereby, remanded to the District Court of the United States for the Western District of South Carolina.

Per Mr. Chief Justice Vinson.

Mrs. Aba Badger Suttle, Widow of John G. Suttle, Individually and as Administratrix of the Estate of John G. Suttle, Deceased, etc.,

Petitioner,

214 vs.

Reich Bros. Construction Co., et al.

On writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit.

THIS CAUSE came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Fifth Circuit, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is ordered and adjudged by this Court that the judgment of the said United States Circuit Court of Appeals, in this cause, be, and the same is hereby, affirmed with costs; and that this cause be, and the same is hereby, remanded to the District Court of the United States for the Eastern District of Louisiana.

Per Mr. Chief Justice Vinson.

Frank Walter Mogall,

Petitioner,

48 vs.

The United States of America.

On writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit.

THIS CAUSE came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Fifth Circuit, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is ordered and adjudged by this Court that the judgment of the said United States Circuit Court of Appeals, in this cause, be, and the same is hereby, reversed; and that this cause be, and the same is hereby, remanded to the District Court of the United States for the Eastern District of Louisiana for proceedings in conformity with the opinion of this Court.

Per Mr. Chief Justice Vinson.

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The Chief Justice said:

"The orders of the Court appear upon the list certified by the Chief Justice and filed with the Clerk and will not be announced orally."

Ford Motor Company,

Appellant,

11 vs.

The United States of America; and

Commercial Investment Trust Corporation, et al.,

Appellants,

12 vs.

The United States of America.

Pursuant to stipulation, it is ordered that the argument in these cases be continued until the next term.

Per Mr. Chief Justice Vinson.

Lincoln Electric Company,

Appellant,

320 vs.

James V. Forrestal.

ON CONSIDERATION of the motion of counsel for the appellant in this case for substitution of parties,

IT IS ORDERED by this Court that James V. Forrestal, Secretary of National Defense, and John L. Sullivan, Secretary of the Navy, be, and they are hereby, substituted as parties appellee in the place and stead of James V. Forrestal, Secretary of the Navy, and that the cause be so continued and maintained.

Per Mr. Chief Justice Vinson.

Francis Joseph Gryger,

Petitioner,

541 vs.

C. J. Burke, Warden, Eastern State Penitentiary, Philadelphia, Pennsylvania; and

Frank Townsend,

Petitioner,

542 vs.

C. J. Burke, Warden, Eastern State Penitentiary, Philadelphia, Pennsylvania.

IT IS ORDERED that Archibald Cox, Esquire, of Boston, Massachusetts, a member of the Bar of this Court, be appointed to serve as counsel for petitioners in these cases.

Per Mr. Chief Justice Vinson.

Walter A. Hunter, Warden, United States Penitentiary, Leavenworth, Kansas,

Petitioner,

643 vs.

Fred Clifford Martin.

ORDER

ON CONSIDERATION of the application of the Solicitor General of the United States for a further stay in this case,

IT IS ORDERED by this Court that the said motion be, and it is hereby, granted.

IT IS FURTHER ORDERED that execution and enforcement of the judgment and mandate of the Circuit Court of Appeals for the Tenth Circuit in this cause be, and it is hereby, stayed pending consideration of the petition for writ of certiorari and, in the event certiorari is granted, said stay is to continue until the mandate of this Court issues.

Per Mr. Chief Justice Vinson.

Virgil T. Brinegar, Order allowing certiorari.

Petitioner,

551 vs.

The United States of America.

The petition herein for a writ of certiorari to the United States Circuit Court of Appeals for the Tenth Circuit is granted.

And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

Earle W. Hilton, Order allowing certiorari.

Petitioner,

560 vs.

John L. Sullivan, Secretary of the Navy, Frances Perkins, et al., Members of the Civil Service Commission.

The petition herein for a writ of certiorari to the United States Court of Appeals for the District of Columbia, is granted.

And it is further ordered that the duly certified copy of the

transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

Harris Kennedy, et al., Petitioners,
590 vs.
Silas Mason Company.

Order allowing certiorari.

The petition herein for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit is granted.

And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

The United States of America, Petitioner,
527 vs.
United States District Court for the Southern District of New York, et al.

Order allowing certiorari.

The petition herein for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit is granted.

And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

Mr. Justice Reed, Mr. Justice Murphy, and Mr. Justice Jackson took no part in the consideration or decision of this application.

William Jerome Phyle, Petitioner,
395, Misc. vs.
Clinton T. Duffy, Warden of the State Prison at San Quentin, State of California.

On petition for writ of certiorari to the Supreme Court of the State of California.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby,

granted; and that the petition for writ of certiorari be, and the same is hereby, granted and the case is transferred to the appellate docket as No. 655, October Term, 1947.

It is further ordered that execution of the sentence of death imposed on petitioner by the Superior Court, San Diego County, be, and it is hereby, stayed pending the final disposition of the case by this Court.

Per Mr. Chief Justice Vinson.

Robert E. Dineen, Superintendent of Insurance of the State of New York, as Liquidator of New York Indemnity Company,

Petitioner,

518 vs.

The United States.

On petition for writ of certiorari to The Court of Claims.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Court of Claims and of the argument of counsel thereupon had, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Ruth K. Armstrong,

Petitioner,

525 vs.

Lee R. Armstrong.

On petition for writ of certiorari to the District Court of Appeal, 2nd Appellate District, State of California.

ON CONSIDERATION of the petition for a writ of certiorari herein to the District Court of Appeal, 2nd Appellate District, State of California, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Fred J. Howarth,
Petitioner,
529 vs.
Mae K. Howarth.

On petition for writ of certiorari to the District Court of Appeal, 2nd Appellate District, State of California.

ON CONSIDERATION of the petition for a writ of certiorari herein to the District Court of Appeal, 2nd Appellate District, State of California, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Joseph P. Petrowski,
Petitioner,
536 vs.
Clifford C. Nutt, Colonel Air Corps, United States Army, etc.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Ninth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Glenshaw Glass Company, Inc.,
Petitioner,
537 vs.
Commissioner of Internal Revenue.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Third Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Duncan E. Davault and Helen L. Davault, Petitioners,
538 vs.
Charlotte Erickson.

On petition for writ of certiorari to the District Court of Appeal, 4th Appellate District, State of California.

ON CONSIDERATION of the petition for a writ of certiorari herein to the District Court of Appeal, 4th Appellate District, State of California, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Estate of Charles M. Thorp, Deceased, Goldie D. Thorp and Fidelity Trust Company, Executors, Petitioners,
540 vs.
Commissioner of Internal Revenue.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Third Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

W. C. Wallace, d/b/a Wallace Novelty Company, Petitioner,
543 vs.
The City of Cartersville, Sam McGowan, as Mayor of the City of Cartersville, et al.

On petition for writ of certiorari to the Supreme Court of the State of Georgia.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of Georgia, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Edward M. Steele and Henry M. Steele, as Executors of the Estate of Emma W. Steele, et al.,

Petitioners,

546 vs.

Guaranty Trust Company of New York.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Second Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Nellie Allen Poague,

Petitioner,

547 vs.

Butte Copper and Zinc Company.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Ninth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Joseph B. Fleming and Aaron Colnon, Trustees of the Estate of The Chicago, Rock Island and Pacific Railway Company,

Petitioners,

548 vs.

Everett E. Husted.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Eighth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

American Processing and Sales Company, Petitioner, vs. Nigel D. Campbell, Collector of Internal Revenue. — On petition for writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit.

549

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Seventh Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Gordon Keith Denny, Petitioner, vs. The United States of America. — On petition for writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit.

550

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Seven' . Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Carroll Dunscombe, Petitioner, vs. A. O. Kanner, as Judge of the Circuit Court for Martin County, State of Florida. — On petition for writ of certiorari to the Supreme Court of the State of Florida.

552

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of Florida, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Ernest Edgar Justice,

Petitioner,

553 vs.

State of West Virginia.

On petition for writ of certiorari to the Supreme Court of Appeals of the State of West Virginia.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of Appeals of the State of West Virginia, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Jack Principale,

Petitioner,

554 vs.

General Public Utilities Corporation, as Successor to Associated Gas and Electric Company, et al.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Second Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Korach Bros., a Limited Partnership,

Petitioner,

556 vs.

Earl W. Clark, Director of the Division of Liquidation, Department of Commerce.

On petition for writ of certiorari to the United States Emergency Court of Appeals.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Emergency Court of Appeals, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Republic Aviation Corporation and Liberty Mutual Insurance Company,

Petitioners,

559 vs.

Samuel S. Lowe, Deputy Commissioner of the United States Employees' Compensation Commission, Second Compensation District and Aida M. Parker.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Second Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mountain States Federation of Telephone Workers, et al.,

Petitioners,

567 vs.

The Mountain States Telephone and Telegraph Company.

On petition for writ of certiorari to the Court of Civil Appeals of the State of Texas.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Court of Civil Appeals of the State of Texas, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Robert G. Lassiter,

Petitioner,

568 vs.

A. H. Powell, R. R. Herring, E. N. Clement, et al., etc.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Fourth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Prudence Realization Corporation,

Petitioner,

572 vs.

George E. Eddy, et al.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Second Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Eunice Grimes,

Petitioner,

573 vs.

Capital Transit Company.

On petition for writ of certiorari to the United States Court of Appeals for the District of Columbia.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the District of Columbia, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

John Marion Hart,

Petitioner,

483 vs.

The United States of America.

ON CONSIDERATION of the motion to dispense with printing the petition and record in this case,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, granted.

Per Mr. Chief Justice Vinson.

John Marion Hart,
Petitioner,
483 vs.
The United States of America.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Sixth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Loyd Kennedy,
Petitioner,
534 vs.
State of Tennessee.

ON CONSIDERATION of the motion to dispense with printing the record in this case,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, granted.

Per Mr. Chief Justice Vinson.

Loyd Kennedy,
Petitioner,
534 vs.
State of Tennessee.

On petition for writ of certiorari to the Supreme Court of the State of Tennessee.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of Tennessee, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

The Aspinook Corporation,

Petitioner,

569 vs.

The Honorable John Bright, District Judge of The United States for the Southern District of New York.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Second Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

The Aspinook Corporation,

Petitioner,

347, Misc. vs.

Honorable John Bright, District Judge of the United States for the Southern District of New York.

ON CONSIDERATION of the motion for leave to file a petition for writ of mandamus herein,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Giles Kavanagh, Collector of Internal Revenue,

Petitioner,

70 vs.

J. H. Noble.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

H. C. Jones, Collector of Internal Revenue,

Petitioner,

71 vs.

The Liberty Glass Company.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

The United States of America,

Petitioner,

100 vs.

Jimmie Ira Brown.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Austin Miller Statler, Jr.,

Petitioner,

479 vs.

The United States of America.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Ray C. Stevenson,

Petitioner,

510 vs.

James A. Johnston, Warden, United States Penitentiary, Alcatraz, California.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Thomas Bullitt Dixon,

Petitioner,

170 vs.

American Telephone & Telegraph Co., et al.

ON CONSIDERATION of the motion for leave to file a third petition for rehearing in this case,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

A. B. T. Manufacturing Corporation,

Petitioner,

506 vs.

National Slug Rejectors, Inc.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied. Neither the petition for rehearing nor the supplemental petition is based upon a ground which is substantial within the meaning of Rule 33, as amended October 13, 1947. (See Preliminary Print, 332 U. S., Part 1, p. XVII.

Per Mr. Chief Justice Vinson.

Richard Anderson Lowe,

Petitioner,

22, Misc. vs.

The United States of America.

ON CONSIDERATION of the motion for leave to file a second petition for rehearing in this case,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Joseph Greco,

Petitioner,

311, Misc. vs.

State of Missouri.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Kurt G. W. Ludecke,

Petitioner,

147, Misc. vs.

W. Frank Watkins, as District Director of Immigration.

ON CONSIDERATION of the motion for action on the petition for rehearing in this case,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Bernard G. McGuire and George M. Wilfong, Petitioners,
164, Misc. vs.
The United States of America.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Frank Williams, Petitioner,
167, Misc. vs.
The United States of America.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Slayton C. Byrd, Petitioner,
169, Misc. vs.
Dr. M. J. Pescor, Warden.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

George Nolan, Petitioner, vs. The United States of America. — On petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit.

176, Misc.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Charles Kenneth Caldwell, Petitioner, vs. Walter A. Hunter, Warden. — On petition for writ of certiorari to the United States Circuit Court of Appeals for the Tenth Circuit.

183, Misc.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Richard J. Thomas, Petitioner, vs. Walter A. Hunter, Warden. — On petition for writ of certiorari to the United States Circuit Court of Appeals for the Tenth Circuit.

184, Misc.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

William P. Bankey, Petitioner, vs. Joseph W. Sanford, Warden. — On petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit.

188, Misc.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Carl Edmond Owens, Petitioner, vs. The United States of America. — On petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit.

199, Misc.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Otis Spencer, Petitioner, vs. Dr. M. J. Pescor, Warden. — On petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit.

205, Misc.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Edwin Ferrell, Petitioner, vs. Joseph E. Ragen, Warden. — On petition for writ of certiorari to the Supreme Court of the State of Illinois.

223, Misc.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

John Joseph Lacey, Petitioner, vs. Joseph W. Sanford, Warden. — On petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit.

228, Misc.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

James L. McNealy, Petitioner, vs. The United States of America. — On petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit.

245, Misc.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

J. Mills Newton,

Petitioner,

251, Misc. vs.

The United States of America.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

James C. Birtch and William Arthur Denham,

Petitioners,

255, Misc. vs.

The United States of America.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Cornelius Zacharias Wiebe,

Petitioner,

257, Misc. vs.

State of Kansas.

On petition for writ of certiorari to the Supreme Court of the State of Kansas.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Harry Williams, Petitioner, vs. Joseph E. Ragen, Warden. — On petition for writ of certiorari to the Circuit Court of Will County, State of Illinois.

309, Misc.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Fred Mosteller, Petitioner, vs. Joseph E. Ragen, Warden. — On petition for writ of certiorari to the Circuit Court of Will County, State of Illinois.

312, Misc.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Richard Hayes, Petitioner, vs. J. Vernel Jackson, Warden. — On petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

316, Misc.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Harold Skaggs,

Petitioner,

328, Misc. vs.

People of the State of Illinois.

On petition for writ of certiorari to the Supreme Court of the State of Illinois.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Harry M. Davis,

Petitioner,

330, Misc. vs.

Joseph E. Ragen, Warden.

On petition for writ of certiorari to the Circuit Court of Will County, State of Illinois.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Fred Wilson,

Petitioner,

331, Misc. vs.

Joseph E. Ragen, Warden.

On petition for writ of certiorari to the Circuit Court of Kane County, State of Illinois.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Clements J. Musial, Petitioner, vs. C. J. Burke, Warden. — On petition for writ of certiorari to the Supreme Court of the Commonwealth of Pennsylvania.

335, Misc.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

John P. Dunbar, Petitioner, vs. Ben B. Stewart, Warden. — On petition for writ of certiorari to the Supreme Court of the State of Missouri.

342, Misc.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

John Wilson, Petitioner, vs. Gerald F. Bush, Warden. — On petition for writ of certiorari to the Supreme Court of the State of Michigan.

344, Misc.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Frank Bonino,

Petitioner,

348, Misc. vs.

People of the State of New York.

On petition for writ of certiorari to the Court of Appeals of the State of New York.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Eugene Bytnar,

Petitioner,

357, Misc. vs.

Walter Nierstheimer, Warden.

On petition for writ of certiorari to the Criminal Court of Cook County, State of Illinois.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Audie Parks,

Petitioner,

358, Misc. vs.

Walter Nierstheimer, Warden.

On petition for writ of certiorari to the Circuit Court of Salina County, State of Illinois.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Orville Stukins, Petitioner, vs. Walter Nierstheimer, Warden. — On petition for writ of certiorari to the Supreme Court of the State of Illinois.

359, Misc.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Franklin L. Neavor, Petitioner, vs. Joseph E. Ragen, Warden. — On petition for writ of certiorari to the Circuit Court of Tazewell County, State of Illinois.

362, Misc.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Russell Gehant, Petitioner, vs. Joseph E. Ragen, Warden. — On petition for writ of certiorari to the Circuit Court of Will County, State of Illinois.

363, Misc.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Thomas Edwin Conway,

Petitioner,

235, Misc. vs.

P. J. Squier, Warden.

ON CONSIDERATION of the motion for leave to file a petition for writ of habeas corpus herein,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Jacob Szerlip,

Petitioner,

279, Misc. vs.

Veterans' Administration.

ON CONSIDERATION of the motion for leave to file a petition for writ of habeas corpus herein,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Arthur J. Gross,

Petitioner,

302, Misc. vs.

Dr. B. A. Flower.

ON CONSIDERATION of the motion for leave to file a petition for writ of habeas corpus herein,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Charles Padgett,

Petitioner,

305, Misc. vs.

Tom Clark, Attorney General.

ON CONSIDERATION of the motion for leave to file a petition for writ of habeas corpus herein,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Roman Caudron,

Petitioner,

317, Misc. vs.

Stanley P. Ashe, Warden.

ON CONSIDERATION of the motion for leave to file a petition for writ of habeas corpus herein,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Ernest Stevens,

Petitioner,

323, Misc. vs.

State of Illinois.

ON CONSIDERATION of the motion for leave to file a petition for writ of habeas corpus herein,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Leo L. Johnson,

Petitioner,

332, Misc. vs.

State of Idaho.

ON CONSIDERATION of the motion for leave to file a petition for writ of habeas corpus herein,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

John Harris,

Petitioner,

313, Misc. vs.

People of the State of New York.

ON CONSIDERATION of the application submitted herein by John Harris,

IT IS ORDERED by this Court that the said application be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Samuel H. Foxall,

Petitioner,

314, Misc. vs.

Joseph E. Ragen, Warden.

ON CONSIDERATION of the motion for leave to file a petition for writ of certiorari herein,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Charles Skinner,

Petitioner,

318, Misc. vs.

Earl Benjamin Searcy, Clerk of the Supreme Court of Illinois.

ON CONSIDERATION of the motion for leave to file a petition for writ of mandamus herein,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

In the Matter of Vergil D. McMillan.

329, Misc.

ON CONSIDERATION of the application submitted herein by Vergil D. McMillan,

IT IS ORDERED by this Court that the said application be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Robert Taylor,

Petitioner,

365, Misc. vs.

Cassius Poust, Director.

ON CONSIDERATION of the motion for leave to file a petition for writ of mandamus herein,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

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The Court will take a recess from Monday, March 15, until Monday, March 29, next.

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Pursuant to adjournment the Court met at the Supreme Court Building.

PRESENT:

The Honorable Fred M. Vinson, Chief Justice,
Hugo L. Black,
Stanley Reed,
Felix Frankfurter,
William O. Douglas,
Frank Murphy, Associate Justices.
Robert H. Jackson,
Wiley Rutledge,
Harold H. Burton.

Thomas Ennalls Waggaman, Esquire, Marshal,

Charles Elmore Cropley, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Leverett Saltonstall, It is ordered that Sarkis M. Zartarian, Esquire, of Boston, Commonwealth of Massachusetts, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. A. Rea Williams, It is ordered that Kenneth F. Stone, Esquire, of New York, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Francis James O'Hara, Jr., It is ordered that John H. Dorsey, Esquire, of Washington, District of Columbia, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Paul P. Myers, It is ordered that George A. Ditz, Esquire, of Stockton, State of California, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Bryan L. Rakestraw, It is ordered that Claire D. Wallace, Esquire, of Portland, State of Oregon, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Herndon Philpott Jeffreys, Jr., It is ordered that Joseph Michael Kuczko, Esquire, of Pound, Commonwealth of Virginia, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Leonard P. Moore, It is ordered that William Caverly, Esquire, of Washington, District of Columbia, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Perry W. Howard, It is ordered that Tosh Douglass Davidson, Esquire, of Tupelo, State of Mississippi, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. James A. Glenn, It is ordered that M. Arnold Lyons, Esquire, of Minneapolis, State of Minnesota, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Robert K. McConnaughey, It is ordered that Donald Ray Seawell, Esquire, of Raleigh, State of North Carolina, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Walter E. Tinsley, It is ordered that Nathan Glick, Esquire, of Chicago, State of Illinois, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Isidore H. Wachtel, It is ordered that Milton I. Weintraub, Esquire, of Brooklyn, State of New York; Joseph Eckhaus, Esquire, of New York, State of New York; and Henry A. Robinson, Esquire, of New York, State of New York, be admitted to

practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Cecil B. Hamilton, It is ordered that Edwin B. Cave, Esquire, of New York, State of New York, and Victor P. Triolo, Esquire, of New York, State of New York, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. J. Ross Gamble, It is ordered that Harry A. Poth, Jr., Esquire, of Washington, District of Columbia, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Samuel H. Moorman, It is ordered that Paul W. Updegraff, Esquire, of Norman, State of Oklahoma, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

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Donald Wade,

Petitioner,

40 vs.

Nathan Mayo, as State Prison Custodian, of the State of Florida.

Submitted by Mr. E. M. Baynes for the petitioner, and by Mr. J. Tom Watson and Mr. Sumter Leitner for the respondent.

Jack Trupiano, Romildo Riccardelli, Anthony Antoniole and Riordan J. A. Roett, Jr.,

Petitioners,

427 vs.

The United States of America.

Argued by Mr. Frank G. Schlosser for the petitioners and by Mr. Solicitor General Perlman for the respondent.

Andrew W. Comstock, a Holder of Missouri Pacific Railroad Company 5½% Secured Serial Gold Bonds, etc.,

Petitioner,

451 vs.

Group of Institutional Investors, etc., et al.;

New Orleans, Texas and Mexico Railway Company, Debtor, etc.,

Petitioner,

452 vs.

Group of Institutional Investors, etc., et al.;

Guy A. Thompson, Trustee of the New Orleans, Texas and Mexico Railway Company, etc.,

Petitioner,

453 vs.

Group of Institutional Investors, etc., et al.; and

Andrew W. Comstock,

Petitioner,

454 vs.

Guy A. Thompson, Trustee of the New Orleans, Texas and Mexico Railway Company, Debtor, et al.

Motion for leave to file brief of Mord M. Bogie and others as amici curiae submitted. Argument commenced by Mr. Maxwell Brandwen for the petitioners; continued by Mr. Charles W. McConaughy for the respondents, Group of Institutional Investors, etc., et al., and by Mr. Harry Kirshbaum for the respondents, Bondholders Group. Motion to dismiss submitted by Mr. Harry Kirshbaum.

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Proclamation being made the Court is adjourned until tomorrow at 12 o'clock.

Pursuant to adjournment the Court met at the Supreme Court Building.

PRESENT:

The Honorable Fred M. Vinson, Chief Justice,
Hugo L. Black,
Stanley Reed,
Felix Frankfurter,
William O. Douglas,
Frank Murphy,
Robert H. Jackson,
Wiley Rutledge,
Harold H. Burton,
Associate Justices.

Thomas Ennalls Waggaman, Esquire, Marshal,

Charles Elmore Cropley, Clerk.

Proclamation being made the Court is opened.

Andrew W. Comstock, a Holder of Missouri Pacific Railroad Company 5½% Secured Serial Gold Bonds, etc.,

Petitioner,

451 vs.

Group of Institutional Investors, etc., et al.;

New Orleans, Texas and Mexico Railway Company, Debtor, etc.,

Petitioner,

452 vs.

Group of Institutional Investors, etc., et al.;

Guy A. Thompson, Trustee of the New Orleans, Texas and Mexico Railway Company, etc.,

Petitioner,

453 vs.

Group of Institutional Investors, etc., et al., and

Andrew W. Comstock,

Petitioner,

454 vs.

Guy A. Thompson, Trustee of the New Orleans, Texas and Mexico Railway Company, Debtor, et al.

Argument continued by Mr. Leonard P. Moore for the respondents, Manufacturers Trust Co., Trustee, etc., and concluded by Mr. Maxwell Brandwen for the petitioners.

Federal Trade Commission,

Petitioner,

464 vs.

Morton Salt Company.

Argued by Mr. Robert L. Stern for the petitioner and by Mr. Lloyd M. McBride for the respondent.

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Proclamation being made the Court is adjourned until Monday, March 15, next, at 12 o'clock.

MONDAY, MARCH 15, 1948.

Pursuant to adjournment the Court met at the Supreme Court Building.

PRESENT:

The Honorable Fred M. Vinson, Chief Justice,
Hugo L. Black,
Stanley Reed,
Felix Frankfurter,
William O. Douglas,
Frank Murphy,
Robert H. Jackson,
Wiley Rutledge,
Harold H. Burton,
Associate Justices.

Thomas Ennalls Waggaman, Esquire, Marshal,

Charles Elmore Cropley, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Tom Pickett, It is ordered that George W. Burkitt, Esquire, of Palestine, State of Texas, and Guy C. Jackson, Jr., Esquire, of Anahuac, State of Texas, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Solicitor General Philip B. Perlman, It is ordered that Jackson N. Bruce, Esquire, of Milwaukee, State of Wisconsin, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Edward H. Cashion, It is ordered that Francis T. Nolan, Esquire, of New York, State of New York, and Robert E. Hone, Esquire, of Houlton, State of Maine, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Richard K. Stevens, It is ordered that Ellsworth H. Mosher, Esquire, of Washington, District of Columbia, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Thomas A. Jenkins, It is ordered that Reed M. Winegardner, Esquire, of Washington C. H., State of Ohio, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Henry Eirven Solomon, It is ordered that Max H. Lanke, Esquire, of Honolulu, Territory of Hawaii, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Philip Bergson, It is ordered that Samuel K. Walzer, Esquire, of Cleveland, State of Ohio, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Wesley S. Williams, It is ordered that Arve E. Hancock, Esquire, of Little Rock, State of Arkansas, and Rufus W. Johnson, Esquire, of Washington, District of Columbia, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Louis P. Maniatis, It is ordered that Edmund Jones, Esquire, of Chester, Commonwealth of Pennsylvania, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Herbert J. S. Devries, It is ordered that Frederick K. Gray, Esquire, of Amarillo, State of Texas, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Robert Stuart Erdahl, It is ordered that Joseph M. Howard, Esquire, of Columbus, State of Ohio, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Dayton M. Harrington, It is ordered that James D. Graham, Jr., Esquire, of Washington, District of Columbia, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Stanley M. Silverberg, It is ordered that Lipman Redman, Esquire, of Washington, District of Columbia, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Mozart G. Ratner, It is ordered that Robert Strange Cahoon, Esquire, of Greensboro, State of North Carolina, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Robert L. Stern, It is ordered that Joseph Goldstein, Esquire, of Brooklyn, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Earl Foster, It is ordered that Earl Foster, Jr., Esquire, of Oklahoma City, State of Oklahoma, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

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The United States of America, Appellant, vs. Paul Evans.	Appeal from the District Court of the United States for the Southern District of California.

15

THIS CAUSE came on to be heard on the transcript of the record from the District Court of the United States for the Southern District of California, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is now here ordered and adjudged by this Court that the judgment of the said District Court, in this cause, be, and the same is hereby, affirmed.

Per Mr. Justice Rutledge.

Tighe E. Woods, Housing Expediter, Office of the Housing Expediter,

Petitioner,

392 vs.

Charles Stone.

On writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit.

THIS CAUSE came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Sixth Circuit, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is ordered and adjudged by this Court that the judgment of the said United States Circuit Court of Appeals, in this cause, be, and the same is hereby, reversed; and that this cause be, and the same is hereby, remanded to the District Court of the United States for the Northern District of Ohio for proceedings in conformity with the opinion of this Court.

Per Mr. Justice Jackson.

Concurring opinion by Mr. Justice Frankfurter.

Dissenting opinion by Mr. Justice Douglas.

Jackie Packer Francis, a Minor, Denny Ray Francis, a Minor, and James Brent Francis, a Minor, by and Through Their General Guardians, Ray E. Francis and Virgil O. Packer,

Petitioners,

400 vs.

Southern Pacific Company.

On writ of certiorari to the United States Circuit Court of Appeals for the Tenth Circuit.

THIS CAUSE came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Tenth Circuit, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is ordered and adjudged by this Court that the judgment of the said United States Circuit Court of Appeals, in this cause, be, and the same is hereby, affirmed with costs; and that this cause be, and the same is hereby, remanded to the District Court of the United States for the District of Utah.

Per Mr. Justice Douglas.

Dissenting opinion by Mr. Justice Black in which Mr. Justice Murphy and Mr. Justice Rutledge join.

Marriner S. Eccles, Ronald Ransom, M. S. Szymczak, et al.,

Petitioners,

vs.

Peoples Bank of Lakewood Village, California.

On writ of certiorari to the United States Court of Appeals for the District of Columbia.

101

THIS CAUSE came on to be heard on the transcript of the record from the United States Court of Appeals for the District of Columbia, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is ordered and adjudged by this Court that the judgment of the said United States Court of Appeals, in this cause, be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the District Court of the United States for the District of Columbia for proceedings in conformity with the opinion of this Court.

Per Mr. Justice Frankfurter.

Dissenting opinion by Mr. Justice Reed in which Mr. Justice Burton joins.

The Chief Justice and Mr. Justice Douglas took no part in the consideration or decision of this case.

Bakery Sales Drivers Local Union No. 33, an Unincorporated Association, et al., Petitioners, vs. A. Wagshal, Trading as "Wagshal's Delicatessen". On writ of certiorari to the United States Court of Appeals for the District of Columbia.

225

THIS CAUSE came on to be heard on the transcript of the record from the United States Court of Appeals for the District of Columbia, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is ordered and adjudged by this Court that the judgment of the said United States Circuit Court of Appeals, in this cause, be, and the same is hereby, affirmed with costs; and that this cause be, and the same is hereby, remanded to the District Court of the United States for the District of Columbia.

Per Mr. Justice Frankfurter.

Dissenting: Mr. Justice Black, Mr. Justice Douglas, and Mr. Justice Murphy.

Mr. Justice Rutledge took no part in the consideration or decision of this case.

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The Chief Justice announced the following orders of the Court:

John Henry Brunson, Petitioner, vs. State of North Carolina. On writ of certiorari to the Supreme Court of the State of North Carolina.

292

THIS CAUSE came on to be heard on the transcript of the record from the Supreme Court of the State of North Carolina, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is ordered and adjudged by this Court that the judgment of the said Supreme Court, in this cause, be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the said Supreme Court for further proceedings not inconsistent with the opinion of this Court.

Per Mr. Chief Justice Vinson.

Essie King,

Petitioner,

293 vs.

State of North Carolina.

On writ of certiorari to the Supreme Court of the State of North Carolina.

THIS CAUSE came on to be heard on the transcript of the record from the Supreme Court of the State of North Carolina, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is ordered and adjudged by this Court that the judgment of the said Supreme Court, in this cause, be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the said Supreme Court for further proceedings not inconsistent with the opinion of this Court.

Per Mr. Chief Justice Vinson.

Martha Jones,

Petitioner,

294 vs.

State of North Carolina.

On writ of certiorari to the Supreme Court of the State of North Carolina.

THIS CAUSE came on to be heard on the transcript of the record from the Supreme Court of the State of North Carolina, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is ordered and adjudged by this Court that the judgment of the said Supreme Court, in this cause, be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the said Supreme Court for further proceedings not inconsistent with the opinion of this Court.

Per Mr. Chief Justice Vinson.

Louise James (Alias Moore), and Evelyn Childs,

Petitioners,

295 vs.

State of North Carolina.

On writ of certiorari to the Supreme Court of the State of North Carolina.

THIS CAUSE came on to be heard on the transcript of the record from the Supreme Court of the State of North Carolina, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is ordered and adjudged by this Court that the judgment of the said Supreme Court, in this cause, be, and the same

is hereby, reversed with costs; and that this cause be, and the same is hereby remanded to the said Supreme Court for further proceedings not inconsistent with the opinion of this Court.

Per Mr. Chief Justice Vinson.

Lida Mae Watkins, Celia Ann Purcell, James Edward Sturdivant, et al., Petitioners,

vs.

State of North Carolina.

On writ of certiorari to the Supreme Court of the State of North Carolina.

296

THIS CAUSE came on to be heard on the transcript of the record from the Supreme Court of the State of North Carolina, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is ordered and adjudged by this Court that the judgment of the said Supreme Court, in this cause, be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the said Supreme Court for further proceedings not inconsistent with the opinion of this Court.

Per Mr. Chief Justice Vinson.

Full Salvation Union (a Michigan Religious Corporation), and J. F. Andrews, Appellants,

vs.

Portage Township, Kalamazoo County, Michigan.

Appeal from the Supreme Court of the State of Michigan.

609

THIS CAUSE came on to be heard on the transcript of the record from the Supreme Court of the State of Michigan, and was duly submitted.

ON CONSIDERATION WHEREOF, It is now here ordered by this Court that the appeal herein be, and the same is hereby, dismissed for the want of a substantial federal question.

Per Mr. Chief Justice Vinson.

Mr. Justice Murphy is of the opinion that probable jurisdiction should be noted.

Mr. Justice Rutledge is of the opinion that the question of jurisdiction should be postponed to a hearing of the case on the merits.

Daniel King, Robert Goldsmith, Albert Dallas, et al.,

Appellants,

630 vs.

H. Sam Priest, Thomas H. Cobbs, Francis L. George, et al., etc.

Appeal from the Supreme Court of the State of Missouri.

THIS CAUSE came on to be heard on the transcript of the record from the Supreme Court of the State of Missouri, and was duly submitted.

ON CONSIDERATION WHEREOF, It is now here ordered by this Court that the appeal herein be, and the same is hereby, dismissed for the want of a substantial federal question.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas and Mr. Justice Rutledge are of the opinion that probable jurisdiction should be noted.

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The Chief Justice said:

"The other orders of the Court appear upon the list certified by the Chief Justice and filed with the Clerk and will not be announced orally."

Donald Loftus,

Petitioner,

59 vs.

People of the State of Illinois.

It is ordered that Henry H. Fowler, Esquire, of Alexandria, Virginia, a member of the bar of this Court, be appointed to serve as counsel for the petitioner in this case.

Per Mr. Chief Justice Vinson.

Joseph Paterno,

Petitioner,

583 vs.

John A. Lyons, as Commissioner of Correction of the State of New York.

It is ordered that William H. Collins, Esquire, of Washington, District of Columbia, a member of the bar of this Court, be appointed to serve as counsel for the petitioner in this case.

Per Mr. Chief

Tony Marino,

Petitioner,

93 vs.

Joseph E. Ragen, Warden, Illinois State Penitentiary, Joliet, Illinois.

ON CONSIDERATION of the motion of the Attorney General of the State of Illinois for this Court's instructions to the Circuit Court of Winnebago County, Illinois, in accordance with this Court's opinion, judgment and mandate in this case,

IT IS ORDERED by this Court that the said motion be, and it is hereby, denied.

Per Mr. Chief Justice Vinson.

Doubleday & Company, Inc.,

Appellant,

539 vs.

People of the State of New York.

The statement of jurisdiction in this case having been submitted and considered by the Court, probable jurisdiction is noted.

Per Mr. Chief Justice Vinson.

Alexandesus Bellaskus, Order allowing certiorari.

Petitioner,

531 vs.

L. D. Crossman, Officer in Charge, United States Immigration and Naturalization Service.

The petition herein for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit is granted.

And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

Torao Takahashi, Order allowing certiorari.

Petitioner,

533 vs.

Fish and Game Commission, Lee P. Payne, as Chairman Thereof, et al.

The petition herein for a writ of certiorari to the Supreme Court of the State of California is granted.

And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

International Union, U. A. W., A. F. of L., Local 232, et al., Order allowing certiorari.

Petitioners,

580 vs.

Wisconsin Employment Relations Board, et al.

The petition herein for a writ of certiorari to the Supreme Court of the State of Wisconsin is granted.

And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

International Union, U. A. W., A. F. of L., Local 232, et al., Order allowing certiorari.

Petitioners,

581 vs.

Wisconsin Employment Relations Board, et al.

The petition herein for a writ of certiorari to the Supreme Court of the State of Wisconsin is granted.

And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

Merrel P. Callaway, as Trustee of the Property of Central of Georgia Railway Company, Debtor, et al., — Order allowing certiorari.

Petitioners,

607 vs.

L. O. Benton, Jr., et al.

The petition herein for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit is granted.

And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

Grand River Dam Authority, a Public Corporation, — On petition for writ of certiorari to the Supreme Court of the State of Oklahoma.

Petitioner,

379 vs.

Grand-Hydro, a Private Corporation.

A petition for rehearing having been submitted in this case;

Upon consideration thereof, it is ordered by this Court that the petition for rehearing be, and the same is hereby, granted.

It is further ordered that the order denying certiorari entered December 15, 1947, be, and it is hereby, vacated; and that the petition for writ of certiorari herein be, and it is hereby, granted.

It is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

Mandel Brothers, Inc., Petitioner, Order allowing certiorari.

582 vs.

John H. Wallace, Jr.

The petition herein for a writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit is granted, and the case is transferred to the summary docket.

And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

Walter A. Hunter, Warden, United States Penitentiary, Leavenworth, Kansas, Petitioner, Order allowing certiorari.

643 vs.

Fred Clifford Martin.

The petition herein for a writ of certiorari to the United States Circuit Court of Appeals for the Tenth Circuit is granted, and the case is transferred to the summary docket.

And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

Chester Hedgebeth, Petitioner, On petition for writ of certiorari to the Supreme Court of the State of North Carolina.

319, Misc. vs.

State of North Carolina.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, granted and the case is ordered transferred to the appellate docket

as No. 674 and the case is assigned for hearing immediately following No. 542, Townsend vs. Burke, Warden.

Per Mr. Chief Justice Vinson.

Roy E. Black, G. Herbert Feick, Edgar M. Flewellyn, et al., Petitioners, vs. The Roland Electrical Company.

340

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Fourth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Eldon Williams, Petitioner, vs. The Atchison, Topeka and Santa Fe Railway Company.

512

On petition for writ of certiorari to the Supreme Court of the State of Missouri.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of Missouri, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Frank E. Thomas, Petitioner, vs. The Atchison, Topeka and Santa Fe Railway Company.

513

On petition for writ of certiorari to the Supreme Court of the State of Missouri.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of Missouri, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Ervin S. Neis,

Petitioner,

514 vs.

The Atchison, Topeka and Santa Fe Railway Company.

On petition for writ of certiorari to the Supreme Court of the State of Missouri.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of Missouri, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

John D. Pedersen,

Petitioner,

515 vs.

The United States.

On petition for writ of certiorari to The Court of Claims.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Court of Claims and of the argument of counsel thereupon had, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

General Motors Corporation,

Petitioner,

558 vs.

Elmer G. Kesling.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Eighth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Sikora Realty Corporation, Petitioner, vs. Tighe E. Woods, Housing Expediter, as Successor to the Price Administrator.

563

On petition for writ of certiorari to the United States Emergency Court of Appeals.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Emergency Court of Appeals, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

William Watt Summers, Petitioner, vs. Nathan A. McCoy, United States Postmaster at Columbus, Ohio.

564

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Sixth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Herman C. Jongebloed, as Administrator of the Goods, Chattels and Credits of Kathryn Jongebloed, Deceased, et al., Petitioners, vs. Erie Railroad Company.

565

On petition for writ of certiorari to the Supreme Court of the State of New York, County of New York.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of New York, County of New York, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Edward P. Fletcher,

Petitioner,

566 vs.

Commissioner of Internal Revenue.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Second Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Unity Railways Company,

Petitioner,

575 vs.

Anna Kurimsky, Administratrix of the Estate of Stephen J. Kurimsky.

On petition for writ of certiorari to the Supreme Court of the Commonwealth of Pennsylvania.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the Commonwealth of Pennsylvania, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Trust Company of Georgia, as Successor Trustee Under Deed of Julian E. Howell,

Petitioner,

578 vs.

Marion H. Allen, Collector of Internal Revenue.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Fifth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Charles E. Bunting, Petitioner,
588 vs.
Commissioner of Internal Revenue.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Sixth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Harry R. Randall, Petitioner,
509 vs.
The United States of America.

ON CONSIDERATION of the motion for leave to file a supplemental petition in this case,

IT IS ORDERED by this Court that the said motion be, and it is hereby, granted.

Per Mr. Chief Justice Vinson.

Harry R. Randall, Petitioner,
509 vs.
The United States of America.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Seventh Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Bristol Hackbusch,

Petitioner,

555 vs.

The United States of America.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Seventh Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

George M. Illges and Louise Hamm, Administratrix of the Estate of John Hamm, Deceased,

Petitioner,

606 vs.

J. E. Congdon, Jr.

ON CONSIDERATION of the motion to dispense with the printing of the record and of the motion to return the record in this case,

IT IS ORDERED by this Court that the motion to dispense with the printing of the record be, and it is hereby, granted; and that the motion to return the record be, and it is hereby, denied.

Per Mr. Chief Justice Vinson.

George M. Illges and Louise Hamm, Administratrix of the Estate of John Hamm, Deceased,

Petitioner,

606 vs.

J. E. Congdon, Jr.

On petition for writ of certiorari to the Circuit Court of Walworth County of the State of Wisconsin.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Circuit Court of Walworth County of the State of Wisconsin, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Irwin Kott, Israel Neddleman, and
Harry Weiner,

Petitioners,

532 vs.

The United States of America.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Leon Josephson,

Petitioner,

535 vs.

The United States of America.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

State of Indiana, on Relation of
John L. Mavity,

Appellant,

545 vs.

Robert H. Tyndall, William H. Remy,
Paul Robertson, et al.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

George A. Thompson, Jr.,
Petitioner,
163, Misc. vs.
Joseph W. Sanford, Warden.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Joseph Richetsky,
Petitioner,
198, Misc. vs.
People of the State of New York.

On petition for writ of certiorari to the County Court of Queens County of the State of New York.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Edward Bautz,
Petitioner,
219, Misc. vs.
Joseph E. Ragen, Warden.

On petition for writ of certiorari to the Circuit Court of Will County of the State of Illinois.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Benjamin Kaufman, Petitioner, vs. The United States of America. 249, Misc. — On petition for writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Simon Bloom, Petitioner, vs. The United States of America. 256, Misc. — On petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Baxter Griffin, Petitioner, vs. The United States of America. 276, Misc. — On petition for writ of certiorari to the United States Court of Appeals for the District of Columbia.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Joseph Mazakahomni,

Petitioner,

322, Misc. vs.

State of North Dakota.

On petition for writ of certiorari to the Supreme Court of the State of North Dakota.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Marion LeBarre Meyers,

Petitioner,

324, Misc. vs.

Robert A. Heinze, Warden.

On petition for writ of certiorari to the Supreme Court of the State of California.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

James J. Carr,

Petitioner,

336, Misc. vs.

Walter B. Martin, Warden.

On petition for writ of certiorari to the Appellate Division of the Supreme Court of New York, 4th Judicial Department.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Vincent Matthew, Petitioner, vs. C. P. Burford, Warden. — On petition for writ of certiorari to the Criminal Court of Appeals of the State of Oklahoma.

341, Misc.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Arthur R. Eggers, Petitioner, vs. People of the State of California. — On petition for writ of certiorari to the Supreme Court of the State of California.

351, Misc.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Frank W. O'Neill, Petitioner, vs. People of the State of California. — On petition for writ of certiorari to the Supreme Court of the State of California.

380, Misc.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Delbert Howard Mayes,

Petitioner,

366, Misc. vs.

People of the State of California, et al.

ON CONSIDERATION of the motions for leave to file petitions for writ of certiorari and writ of habeas corpus herein,

IT IS ORDERED by this Court that the said motions be, and they are hereby, denied.

Per Mr. Chief Justice Vinson.

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Proclamation being made the Court is adjourned until Monday, March 29, next, at 12 o'clock.

MONDAY, MARCH 29, 1948.

Pursuant to adjournment the Court met at the Supreme Court Building.

PRESENT:

The Honorable Fred M. Vinson, Chief Justice,
Hugo L. Black,
Stanley Reed,
Felix Frankfurter,
Frank Murphy,
Robert H. Jackson,
Wiley Rutledge,
Harold H. Burton. Associate Justices.

Thomas Ennalls Waggaman, Esquire, Marshal,
Charles Elmore Cropley, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Charles Fahy, It is ordered that Joseph Markle, Esquire, of New York, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Homer Ferguson, It is ordered that Maurice Black, Esquire, of Saginaw, State of Michigan, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Robert C. Hilldale, It is ordered that Charles H. Dunphy, Esquire, of Washington, District of Columbia, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Edward F. Colladay, It is ordered that Charles D. Mathews, Esquire, of Austin, State of Texas, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Thomas J. Lane, It is ordered that Emmanuel S. Perch, Esquire, of Worcester, Commonwealth of Massachusetts, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Joe M. Whitaker, It is ordered that R. F. Barry, Esquire, of Oklahoma City, State of Oklahoma, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Henry P. Chandler, It is ordered that Maurice Jones, Jr., Esquire, of Los Angeles, State of California, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. William P. MacCracken, Jr., It is ordered that Julius Applebaum, Esquire, of New York, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Albert L. Cox, It is ordered that Harry Arthur Calevas, Esquire, of Washington, District of Columbia, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. John M. Mason, It is ordered that Carl F. Geppert, Esquire, of Chicago, State of Illinois, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Byran L. Rakestraw, It is ordered that John J. Fischer, Esquire, of New York, State of New York, and Lawrence Duffy Bell, Esquire, of Babylon, State of New York, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. John T. Barker, It is ordered that Ray E. Watson, Esquire, of Joplin, State of Missouri, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Edward R. Schoen, It is ordered that John R. Turnquist, Esquire, of Denver, State of Colorado, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Frank Donner, It is ordered that Martin Popper, Esquire, of New York, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Roger S. Foster, It is ordered that Sidney H. Willner, Esquire, of Washington, District of Columbia, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mrs. Norma Hardy Britton, It is ordered that E. Adrian Trammell, of Chipley, State of Georgia, be admitted to practice as an Attorney and Counsellor of this Court, and she was sworn accordingly. (Miss)

On motion first made to the Court in this behalf by Miss Ruth Rouss, It is ordered that Kathryn Pearlman, of Des Moines, State of Iowa, be admitted to practice as an Attorney and Counsellor of this Court, and she was sworn accordingly. (Miss)

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George Cornelius Moore and Lester Haughton,

Petitioners,

485 vs.

The People of the State of New York.

On writ of certiorari to the Court of Appeals of the State of New York.

THIS CAUSE came on to be heard on the transcript of the record from the Court of Appeals of the State of New York, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is ordered and adjudged by this Court

that the judgments of the said Court of Appeals, in this cause, be, and the same are hereby, affirmed.

Per Mr. Justice Jackson.

Dissenting opinion by Mr. Justice Murphy in which Mr. Justice Black, Mr. Justice Douglas, and Mr. Justice Rutledge concur.

Murray Winters,

Appellant,

3 vs.

The People of the State of New York.

Appeal from the Court of Special Sessions of the City of New York, State of New York.

THIS CAUSE came on to be heard on the transcript of the record from the Court of Special Sessions of the City of New York, State of New York, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is now here ordered and adjudged by this Court that the judgment of the Court of Appeals of New York, in this cause, be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the said Court of Appeals for proceedings not inconsistent with the opinion of this Court.

Per Mr. Justice Reed.

Dissenting opinion by Mr. Justice Frankfurter in which Mr. Justice Jackson and Mr. Justice Burton join.

The Connecticut Mutual Life Insurance Company, Massachusetts Mutual Life Insurance Company, National Life Insurance Company, et al.,

Appellants,

337 vs.

Frank C. Moore, Comptroller of the State of New York.

Appeal from the Court of Appeals of the State of New York.

THIS CAUSE came on to be heard on the transcript of the record from the Court of Appeals of the State of New York, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is now here ordered and adjudged by this Court that the judgment of the said Court of Appeals, in this cause, be, and the same is hereby, affirmed except as to issues specifically reserved in the opinion of this Court, costs to be taxed in favor of appellee.

Per Mr. Justice Reed.

Dissenting opinion by Mr. Justice Frankfurter.
Dissenting opinion by Mr. Justice Jackson in which Mr. Justice Douglas joins.

Commissioner of Internal Revenue, Petitioner, vs. South Texas Lumber Company. 384 — On writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit.

THIS CAUSE came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Fifth Circuit, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is ordered and adjudged by this Court that the judgment of the said United States Circuit Court of Appeals, in this cause, be, and the same is hereby, reversed; and that this cause be, and the same is hereby, remanded to the said Circuit Court of Appeals for proceedings in conformity with the opinion of this Court.

Per Mr. Justice Black.

Dissenting: Mr. Justice Douglas and Mr. Justice Burton.

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The Chief Justice announced the following orders of the Court:

A. F. Reeder, Appellant, vs. W. F. Banks and Ernest Morris, County Treasurer of Washita County, Oklahoma. 618 — Appeal from the Supreme Court of the State of Oklahoma.

THIS CAUSE came on to be heard on the transcript of the record from the Supreme Court of the State of Oklahoma, and on motion to dismiss or affirm, which was duly submitted.

ON CONSIDERATION WHEREOF, It is now here ordered by this Court that the motion to dismiss the appeal herein be, and the same is hereby, granted.

IT IS FURTHER ORDERED that the appeal herein be, and the same is hereby, dismissed for the want of a substantial federal question.

Per Mr. Chief Justice Vinson.

W. E. Davis, et al.,

Appellants,

vs.

Roy H. Beeler, Attorney General of the State of Tennessee, et al.

Appeal from the Supreme Court of the State of Tennessee.

636

THIS CAUSE came on to be heard on the transcript of the record from the Supreme Court of the State of Tennessee, and was duly submitted.

ON CONSIDERATION WHEREOF, It is now here ordered and adjudged by this Court that the appeal herein be, and the same is hereby, dismissed for the want of a substantial federal question.

Per Mr. Chief Justice Vinson.

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The Chief Justice said:

"The other orders of the Court appear upon the list certified by the Chief Justice and filed with the Clerk and will not be announced orally."

Marvin Murray,

Petitioner,

vs.

State of Mississippi.

432 Misc.

ORDER

The petition for the allowance of an appeal is denied but the appeal papers will be treated as an application for a writ of certiorari.

It is ordered that execution of the sentence of death imposed on the petitioner (appellant) by the Circuit Court of Stone County, Mississippi, be, and the same hereby is, stayed until the further order of this Court.

Per Mr. Chief Justice Vinson.

Walter A. Hunter, Warden, United States Penitentiary, Leavenworth, Kansas,

Petitioner,

643 vs.

Fred Clifford Martin.

It is ordered that James F. Reilly, Esquire, of Washington, District of Columbia, a member of the Bar of this Court, be, and he is hereby, appointed to serve as counsel for the respondent in this case. Leave is granted the respondent to proceed in forma pauperis.

Per Mr. Chief Justice Vinson.

Ayrshire Collieries Corporation, et al.,

Appellants,

619 vs.

The United States of America, et al.

The statement of jurisdiction in this case having been submitted and considered by the Court, probable jurisdiction is noted.

Per Mr. Chief Justice Vinson.

American Federation of Labor, et al.,

Appellants,

626 vs.

American Sash & Door Company, et al.

The statement of jurisdiction in this case having been submitted and considered by the Court, probable jurisdiction is noted.

Per Mr. Chief Justice Vinson.

George Whitaker, et al.,

Appellants,

660 vs.

State of North Carolina.

The statement of jurisdiction in this case having been submitted and considered by the Court, probable jurisdiction is noted and the case is assigned for argument immediately following No. 626, American Federation of Labor, et al. vs. American Sash & Door Company, et al.

Per Mr. Chief Justice Vinson.

The United States of America,

Appellant,

695 vs.

Congress of Industrial Organizations,
Philip Murray, Officer Thereof.

The statement of jurisdiction in this case having been submitted and considered by the Court, probable jurisdiction is noted and the case is assigned for argument on Monday, April 26, 1948.

Per Mr. Chief Justice Vinson.

Vermilya-Brown Company, Inc., Necaro Company, Inc., et al., Order allowing certiorari.

Petitioners,

608 vs.

John Joseph Connell, Eugene T. Fitzpatrick, William L. Flanagan, et al.

The petition herein for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit is granted.

And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

Earl P. Hoiness, Order allowing certiorari.

Petitioner,

604 vs.

The United States of America.

The petition herein for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit is granted, limited to questions (1) (b) and (2) (a) presented by the petition for the writ and the case is transferred to the summary docket.

And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

National Mutual Insurance Company of the District of Columbia, Order allowing certiorari.

Petitioner,

640 vs.

Tidewater Transfer Company, Incorporated, a Corporation of the State of Virginia.

The petition herein for a writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit is granted. In view of the Act of August 24, 1937, 28 U. S. C. Sec. 401, the Court hereby certifies to the Attorney General of the United States that the constitutionality of the Act of April 20, 1940 (c. 117, 54 Stat. 143), is drawn in question in this case.

And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

George T. Goggin, Trustee in Bankruptcy of the Estate of Kessco Engineering Corporation, Order allowing certiorari.

Petitioner,

667 vs.

Division of Labor Law Enforcement, State of California, Statutory Assignee of Certain Prior Wage Claimants.

The petition herein for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit is granted, and the case is transferred to the summary docket.

And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

Harold Gottfried and Pure Rock Mineral Springs Corporation,

Petitioners,

561 vs.

The United States of America.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Second Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Harold Gottfried, Joseph Forman and William Stanton,

Petitioners,

562 vs.

The United States of America.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Second Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Carl Meyer,

Petitioner,

570 vs.

Territory of Hawaii.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Ninth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Carl Meyer,
Petitioner,
571 vs.
Territory of Hawaii.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Ninth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Sam Lee Garland,
Petitioner,
579 vs.
The United States of America.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Fifth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Abraham Kosdon, Sam Hauslinger and Benjamin Lapine,
Petitioners,
587 vs.
Diversey Hotel Corporation.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Seventh Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Alexander Steele,

Petitioner,

589 vs.

The Superior Court of the State of California, In and For the City and County of San Francisco, et al.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Ninth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Baltimore and Ohio Railroad Company,

Petitioner,

595 vs.

Henry Plough.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Second Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Baltimore and Ohio Railroad Company,

Petitioner,

596 vs.

Majorie A. Hanson, as Administratrix of the Estate of Gordon M. Hanson, Deceased.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Second Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Baltimore and Ohio Railroad Company, Petitioner,
597 vs.
Elmer Van Slyke.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Second Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Baltimore and Ohio Railroad Company, Petitioner,
598 vs.
Caroline Lynch, as Administratrix of the Estate of Myron George Lynch, Deceased.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Second Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Anthony P. Miller, Inc., Petitioner,
599 vs.
Commissioner of Internal Revenue.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Third Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

C. W. H. Bangs, Trustee of Morris Pogel, Bankrupt,

Petitioner,

601 vs.

Morris Pogel.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Seventh Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Meyer Gordon,

Petitioner,

602 vs.

The United States of America.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Sixth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

J. Tom Watson, as Attorney General of the State of Florida,

Petitioner,

605 vs.

J. Edwin Larson, as Treasurer of the State of Florida, et al.

On petition for writ of certiorari to the Supreme Court of the State of Florida.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of Florida, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Poland Coal Company, Petitioner,

610 vs.

Hillman Coal & Coke Company.

On petition for writ of certiorari to the Supreme Court of the Commonwealth of Pennsylvania.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the Commonwealth of Pennsylvania, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Calcasieu Paper Company, Inc., Petitioner,

614 vs.

Carpenter Paper Company.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Fifth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Frank M. Swacker, Petitioner,

616 vs.

The Pennroad Corporation and Daniel O. Hastings.

On petition for writ of certiorari to the Supreme Court of the State of Delaware.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of Delaware, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Western Union Telegraph Company,
Petitioner,
622 vs.
William R. McComb, Administrator of the Wage and Hour Division, United States Department of Labor.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Sixth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Matlaw Corporation,
Petitioner,
624 vs.
War Damage Corporation.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Seventh Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Salamonie Packing Company,
Petitioner,
631 vs.
The United States of America.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Eighth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Wm. J. Lemp Brewing Company,
Petitioner,
634 vs.
Ems Brewing Company.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Seventh Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Robert R. Young,
Petitioner,
635 vs.
John P. Murphy, et al., Executors of the Estate of Charles L. Bradley, Deceased.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Sixth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Roy C. Metzger,
Petitioner,
639 vs.
Hannah Hossack, as Administratrix of the Estate of James W. Hancer, Deceased.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Eighth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Harold Joseph O'Connell, Evan William Aaron, et al.,

Petitioners,

625 vs.

The United States of America.

ON CONSIDERATION of the motion to dispense with the printing of the record in this case,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, granted.

Per Mr. Chief Justice Vinson.

Harold Joseph O'Connell, Evan William Aaron, Emanuel Alexander Beach and Cleveland Walton,

Petitioner,

625 vs.

The United States of America.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Second Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

The Ohio Oil Company,

Petitioner,

516 vs.

The United States of America.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

James Russell Cleary, Petitioner, vs. The United States of America.

206, Misc.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Bernard Shotkin, Petitioner, vs. Jacob Friedman, et al.

234, Misc.

On petition for writ of certiorari to the Supreme Court of the State of Colorado.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Joel Thomas Pierce, Petitioner, vs. The United States of America.

237, Misc.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Georgia M. Spruill, Petitioner, vs. Daniel E. Campbell, Executor. — On petition for writ of certiorari to the United States Court of Appeals for the District of Columbia.

504, Misc.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Oltie William Kennedy, Petitioner, vs. Joseph W. Sanford, Warden. — On petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit.

352, Misc.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Alexander H. Wiles, Petitioner, vs. State of Florida. — On petition for writ of certiorari to the Supreme Court of the State of Florida.

377, Misc.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

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The Court will take a recess from Monday, April 5, until Monday, April 19, next.

Paul Ahrens, et al.,

Petitioners,

446 vs.

Tom C. Clark, Attorney General of the United States.

Argued by Mr. James J. Laughlin for the petitioners, and by Mr. Solicitor General Perlman for the respondent.

Mary Morton West, Osage Allottee No. 192,

Appellant,

489 vs.

Oklahoma Tax Commission.

Argument commenced by Mr. Frank T. McCoy for the appellant and continued by Mr. R. F. Barry for the appellee.

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Proclamation being made the Court is adjourned until tomorrow at 12 o'clock.

TUESDAY, MARCH 30, 1948.

Pursuant to adjournment the Court met at the Supreme Court Building.

PRESENT:

The Honorable Fred M. Vinson, Chief Justice,
Hugo L. Black,
Stanley Reed,
Felix Frankfurter,
Frank Murphy,
Robert H. Jackson,
Wiley Rutledge,
Harold H. Burton. Associate Justices.

Thomas Ennalls Waggaman, Esquire, Marshal,

Charles Elmore Cropley, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Hugh D. Scott, Jr., It is ordered that Franklin E. Barr, Esquire, of Philadelphia, Commonwealth of Pennsylvania, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Philip D. Macbride, It is ordered that Frank L. Mechem, Esquire, of Seattle, State of Washington, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Wayne Lyman Morse, It is ordered that Jerome H. Spingarn, Esquire, of New York, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Edgar Tremlett Fell, It is ordered that Charles G. Page, Esquire, of Baltimore, State of Maryland, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. George W. Murphy, It is ordered that Sidney L. Krawitz, Esquire, of Milford, Commonwealth of Pennsylvania, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Thurman W. Arnold, It is ordered that John Marshall Smallwood, Esquire, of Russellville, State of Arkansas, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Abbot P. Mills, It is ordered that Prescott W. Cookingham, Esquire, of Portland, State of Oregon, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. James G. Johnson, Jr., It is ordered that William J. O'Brien, Esquire, of New York, State of New York; Arthur R. Douglass, Esquire, of New York, State of New York; and Otto M. Buerger, Esquire, of New York, State of New York, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Raymond Fassett Brown, It is ordered that Clifford P. Hickok, Esquire, of New York, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. John Roy Thompson, Jr., It is ordered that John M. Young, Esquire, of Oklahoma City, State of Oklahoma, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Frank X. Brown, It is ordered that Maria Louisa Green, of Los Angeles, State of California, be admitted to practice as an Attorney and Counsellor of this Court, and she was sworn accordingly. (Miss)

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Mary Morton West, Osage Allottee No. 192,

Appellant,

489 vs.

Oklahoma Tax Commission.

Argument continued by Mr. R. P. Barry and Mr. Joe M. Whitaker for the appellee, and concluded by Mr. Frank T. McCoy for the appellant.

Samuel Saia,

Appellant,

504 vs.

The People of the State of New York.

Argued by Mr. Hayden C. Covington for the appellant, and case submitted by Mr. Allan V. Parker for the appellee.

Hazel E. Briggs, as Administratrix of the Goods, Chattels and Credits which were of Ralph Briggs, Deceased,

Petitioner,

530 vs.

The Pennsylvania Railroad Company.

Argued by Mr. William J. O'Brien, Jr., for the respondent, and case submitted by Mr. Sol Gelb for the petitioner.

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Proclamation being made the Court is adjourned until tomorrow at 12 o'clock.

WEDNESDAY, MARCH 31, 1948.

Pursuant to adjournment the Court met at the Supreme Court Building.

PRESENT:

The Honorable Fred M. Vinson, Chief Justice,
Hugo L. Black,
Stanley Reed,
Felix Frankfurter,
William O. Douglas,
Robert H. Jackson,
Wiley Rutledge,
Harold H. Burton.
Associate Justices.

Thomas Ennalls Waggaman, Esquire, Marshal,

Charles Elmore Cropley, Clerk.

Proclamation being made the Court is opened.

SUPREME COURT OF THE UNITED STATES

Present: Mr. Chief Justice Vinson, Mr. Justice Black, Mr. Justice Reed, Mr. Justice Frankfurter, Mr. Justice Douglas, Mr. Justice Jackson, Mr. Justice Rutledge, and Mr. Justice Burton.

Mr. Solicitor General Perlman addressed the Court as follows:

"May it please this Honorable Court: At a meeting of members of the bar of the Supreme Court, held on November 12, 1947, resolutions expressing their profound sorrow at the death of Chief Justice Harlan Fiske Stone were offered by a committee, of which the Honorable Dean Acheson was chairman. Addresses on the resolutions were made by the Honorable John J. Parker, senior judge of the Fourth Circuit Court of Appeals; Luther Ely Smith, Esquire, of St. Louis, Mo., and the Honorable Herbert Wechsler, of New York. The resolutions, adopted unanimously, are as follows:

"'RESOLUTIONS

"'Chief Justice Stone died in Washington, D. C., on April 22, 1946, while in his twenty-second year of active service as a Justice of the Supreme Court. The members of the Bar of this Court have met in the Supreme Court Building on November 12, 1947, to offer affectionate tribute to his memory and to record with due solemnity their respect for the man and for his distinguished services to his profession and to his Nation.

"'Harlan Fiske Stone was born in Chesterfield, N. H., on October 11, 1872. His youth was spent in Amherst, Mass., where he attended the public schools. Perhaps in consequence of these early years, he has always seemed the embodiment of the traditional New England virtues—frugal in habits, careful in his conduct and sturdy in his judgment. He entered Amherst College as a member of the class of 1894. His undergraduate record was enviable, both as a scholar and as a leader of his fellows, and he maintained throughout his life a lively interest in the College, serving as trustee for many years. Following his graduation he was for one year principal and science instructor of the Newburyport High School. In September, 1895, he entered Columbia Law School.

"'Columbia soon became one of the absorbing interests of his life. As a student there he maintained a high scholastic record, notwithstanding the necessity of earning his expenses by tutoring and by teaching history at Adelphi Academy. He had abiding love for

teaching, which requires equally the learning of the scholar and the sympathy and understanding necessary to lead the student. He was delighted, therefore, about a year after receiving his LL. B. in 1898, to be appointed a part-time lecturer at Columbia Law School. During the next six years he taught a great variety of subjects and thus laid the foundation for that intimate familiarity with the law which was so richly to be reflected in the learning of his judicial opinions and the solidity of his judgments.

"'Concurrently with the satisfaction he achieved as a teacher, he was winning rapid recognition at the New York Bar. In 1903 he had become a partner in Wilmer, Canfield and Stone. Two years later he resigned from the Columbia faculty to devote his time exclusively to practice as a member of Satterlee, Canfield and Stone. He found many attractions in private practice. He enjoyed working out concrete legal problems by reducing complex matters to their simpler fundamentals. As a practicing lawyer his vast analytical talents and the wisdom of his counsel could be put to the immediate practical benefit of the client who asked his help.

"'Without relinquishing his work in the law firm, Harlan Stone returned to Columbia in 1910 to become Dean of the Law School. He continued active teaching throughout his thirteen years as Dean. His penetrating writings established him as a leading authority on the law of equity and trusts. In these fields he found his favorite paths, since here above all other branches the law showed its magnificent capacity for flexible adaptation to changing circumstances and to ends broader than the claims of particular litigants. The law of equity, in particular, showed with much clarity that the great role of judge is, as he later put it, to apply "all the resources of the creative mind to the perpetual problem of attuning the law to the world in which it is to function."

"'Columbia Law School flourished under the wise guidance of Harlan Stone. He had firm ideas as to the importance of the legal profession and the high obligation of the law schools to their students and through them to society. He lent vigorous support to reforms in legal education, but was careful that these should not be made at the sacrifice of a thorough training in the basic groundwork of the law. He took a lively interest in his students, and won their life-long affection by his kindness, his unpretentiousness and his invariable willingness to lend a helping hand. His impartiality and common sense were combined with a self-assurance that encouraged others to draw upon his strength.

"'During the First World War Harlan Stone served as a member of a very active Board of Inquiry which disposed of the cases of drafted men who had refused on grounds of conscientious objection

to perform military service. The problem of the conscientious objector was far less understood by the country in 1918 than it is today, and the difficult task called for the highest degree of patience, tolerance, and common sense. Shortly after the Board had completed its assignment, Harlan Stone summarized its work and gave account of his own views: "However rigorous the state may be in repressing the commission of acts which are regarded as injurious to the state, it may well stay its hand before it compels the commission of acts which violate the conscience." This was the same scrupulous regard for the rights of conscience which later moved him to write his dissenting opinion in the flag-salute case, perhaps the most dramatically successful dissent in the Court's history.

"'In 1923 he decided once again to devote his full time to private practice and resigned from Columbia to become a member of Sullivan and Cromwell. But he was not to remain there long. When changes became necessary in the Department of Justice, President Coolidge called upon Harlan Stone, whom he had known since their days at Amherst, to accept the appointment as Attorney General. His name was sent to the Senate on April 7, 1924. The remainder of his life was devoted wholly to the public service. At the Department of Justice he acquired at first-hand a knowledge and appreciation of the hazards and the skills involved in the successful management of a large government agency.

"'Harlan Stone had thus achieved singular eminence as a lawyer, as a teacher, and as a public servant when President Coolidge, on January 5, 1925, nominated him to the place on the Supreme Court left vacant by the retirement of Justice McKenna. The nomination nevertheless met some opposition in the Senate because of the fear of some, who did not know the man, that his representation of large financial interests during his law practice was evidence of bias and undue conservatism. Those who expressed those fears were glad, in later years, to admit their lack of foundation. Harlan Stone took his seat as an Associate Justice on March 2, 1925. He served on the courts of Taft and Hughes, and on the latter's retirement was nominated by President Roosevelt to be Chief Justice, taking the oath as Chief Justice on July 3, 1941. His vigorous, single-minded devotion to the work of the Court continued until the moment of his death.

"'The opinions of Justice Stone number nearly 600, and will be found from the 268th to the 328th United States. They cover the entire range of the Court's business and there is no part of it which has not been shaped by the solid craftsmanship of Harlan Stone. Many branches of the Supreme Court's work were already familiar to him, but many were new. His rapid mastery of patent, admiralty, and public land law, for example, is striking evidence of the adaptability

of his learning and skill. Here, as in all of his work, one may see the impressive results of the combination of a forthright character and a powerful intellect. He was able to meet issues squarely because he understood them well.

"'The accidents of national and legal history served, however, to project into sharper focus the work of Justice Stone in the field of constitutional law. He was peculiarly suited by temperament and by training to discharge the delicate and awesome responsibilites of the judge who must measure an act of the legislature against the organic charter of the nation. His talents and his wisdom were made available at a time in which they were to prove of especial benefit, for his span of service was to cover a period more critical in the history of the Court than any since the outbreak of the Civil War.

"'When Justice Stone came to the bench there had already developed within the Court a substantial divergency of views on constitutional issues of high importance to the Nation. Justice Stone brought to the Court an abiding faith in the power of reason and in the historic function of the judiciary. He was hopeful that the differences among his brethren might diminish through the process of deliberation and adjudication. During his first decade on the Court, however, as the constitutional issues pressed more heavily on the Court, he discovered that the differences were too deeply rooted for such adjustment. More and more often he found himself, in the company of Justices Holmes and Brandeis (and later Justice Cardozo), unable to accept the rigid interpretations and applications of the Constitution to which the majority of the Court adhered with staunch conviction.

"'Justice Stone took as his bench-mark the words of Chief Justice Marshall, and viewed the Constitution as a broad charter of government "intended to endure for ages to come, and, consequently, to be adapted to the various crises of human affairs." Its provisions, he has said, were to be read "not with the narrow literalness of a municipal code or a penal statute, but so that its high purposes should illumine every sentence and phrase of the document and be given effect as a part of a harmonious framework of government." His opinions are the solid product of that basic philosophy. His approach to a constitutional issue was essentially pragmatic, with attentive regard to the lessons of experience, and he was wary of generalizations not anchored to the circumstances of particular cases. He was always mindful that judicial interpretations of the Constitution, since they are beyond the power of the legislature to correct, must in the first instance be confined to the case at hand, and, in the second, be open to reconsideration in the light of new experience and greater knowledge and wisdom.

"'With the shift in constitutional doctrine which occurred during the service of Chief Justice Hughes, Justice Stone had the satisfaction

of seeing one after another of his dissenting opinions in constitutional cases become the law of the Court. This, in at least substantial part, was a tribute to his good judgment and sense of proportion and to the persuasiveness of his opinions. Interstate commerce, taxation, and the public regulation of business are among the many fields in which his careful development of constitutional limitations and powers has provided a firm basis for continuity and progress. He was ever faithful to his conviction that the Constitution had not adopted any particular set of social and economic ideas, to the exclusion of others which, however wrong they seemed to him, fair-minded men yet might hold. He had a full appreciation of the role of the law in making accommodations between conflicting interests; and he was sensitive to the unique responsibility which our federal system places upon the Supreme Court to work out such accommodations between the national government and the states.

"'Along with his broad tolerance for economic development and experimentation Justice Stone carried a firm belief that the Supreme Court, together with all other branches of the national and local governments, must exercise constant vigilance to ensure that the rights of the person be preserved inviolate. His opinions reflect his vivid realization of the unceasing responsibility of the courts in helping to assure that our society remain the self-government of free people which the Constitution established.

"'When he succeeded to the Chief Justiceship, in his sixty-ninth year, Harlan Stone still had the tremendous vitality and the capacity for work that had contributed so much to the fruitfulness of his career as a lawyer, teacher, and judge. The burdens of the office were heavy. Yet he never slackened his pace, and continued to maintain an exemplary record in the prompt dispatch of the Court's business. Some of his most important opinions were those written for the Court on novel questions arising out of the Second World War, where he gave due recognition both to the wartime necessities of the government and to the principles of civil liberty which must be maintained, in war as in peace, by a free society.

"'Throughout his life Harlan Stone maintained an active interest in the arts. He found an enormous satisfaction in music, painting, and sculpture. As Chief Justice he became ex officio Chairman of the Board of Trustees of the National Gallery of Art and Chancellor of the Smithsonian Institution; he also served as Chairman of the Folger Shakespeare Library. To these tasks he brought not only wisdom but enthusiasm.

"'No comment on the career of Harlan Stone can adequately reflect the esteem in which the Bar held him as a man, nor the depth of the affection felt for him by all who knew him. He had a funda-

mental contentment which reflected the happy family life he shared with his wife, Agnes Harvey Stone, and their two sons. He was genial in manner, delightful in conversation, and always accessible to any who came. He was considerate and tolerant of the opinions of others, though he resisted loose thinking even when it was directed toward a philanthropic purpose.

"'It is accordingly

"'*Resolved*, That we, the Bar of the Supreme Court of the United States, express our profound sorrow at the death of Chief Justice Harlan Fiske Stone and our thankfulness for the enduring contributions which this great man and wise judge has made to our profession and to our national life: It is further

"'*Resolved*, That the Attorney General be asked to present these resolutions to the Court, and to request that they be inscribed upon its permanent records.'"

Mr. Attorney General Clark addressed the Court as follows:

"May it please this Honorable Court: We are gathered here today to pay tribute to the memory of Chief Justice Harlan Fiske Stone, a man whose life and works exemplified the highest traditions of our profession. Truly, the law, in actuality, was to this great American and distinguished jurist 'a human institution for human needs.' He did much to make it so.

"Born on October 11, 1872, when Ulysses S. Grant was President of the United States and Salmon P. Chase was Chief Justice presiding over this Court, Harlan Stone rose from the humble surroundings of his birthplace at Chesterfield, New Hampshire, to the highest judicial post in the Nation. Seventy-three years later, on April 22, 1946, he died in the service of his Nation as Chief Justice of the United States. Those three-score and thirteen years were measured by a continuous devotion to the best interests of his fellow man.

"From his birthplace in New Hampshire, young Stone moved early with his parents to northern Massachusetts, and it was there that he grew to manhood. His early interest seemed to be farming, and for a while he attended Massachusetts Agricultural College. It is reported—authoritatively—that he was asked to depart from that college for some boisterous pranks. Soon thereafter he entered Amherst College. The change was a fortuitous one—at least insofar as the law has become the beneficiary of his talents. After completing his studies at Amherst, he enrolled at the School of Law of Columbia University. In 1898 he was awarded the degree of Bachelor of Laws, with very high honors, notwithstanding that throughout his law studies he supported himself by teaching and by tutoring. For him, characteristically, it was no more than normal routine to

carry responsibilities that would ordinarily require the full time of two men.

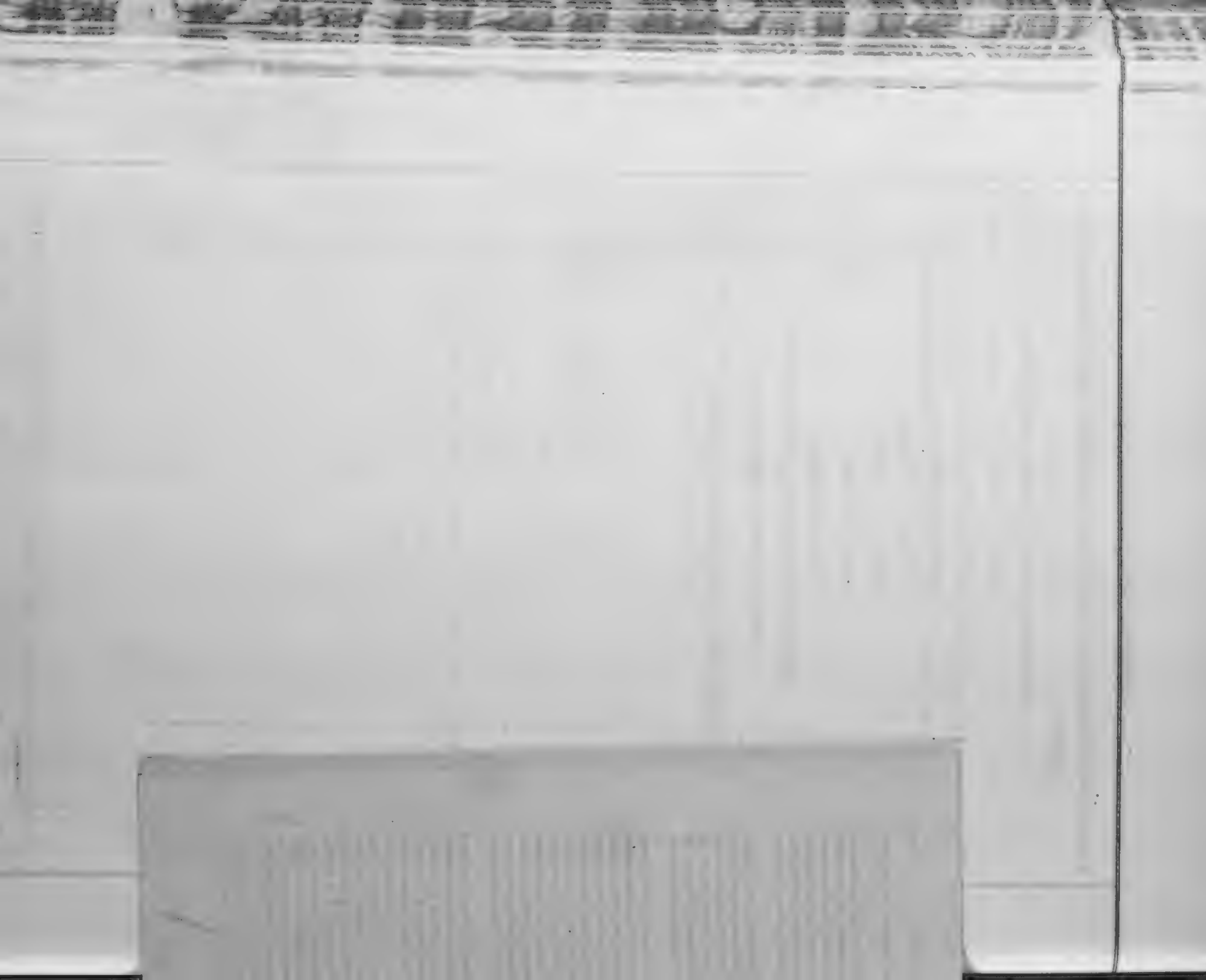
"He stayed on to teach at the law school. The maturing influence of study in a great diversity of legal subjects marked this important period of his life. For five years subsequent to 1905, he gave up teaching and occupied himself entirely in private practice in New York City. He returned on the call to become Dean of the Columbia University Law School. There he became recognized as one of the great legal educators of his day.

"He left the Deanship on the call of the President of the United States to enter Government Service as the Attorney General of the United States. In the next year, on March 2, 1925, President Coolidge elevated him to Associate Justice of this Court, succeeding to the vacancy left by the retirement of Mr. Justice Joseph McKenna. To this post he brought a wealth of knowledge both in the law and in the affairs of man.

"On June 12, 1941, on the retirement of Chief Justice Charles Evans Hughes, President Franklin D. Roosevelt appointed him Chief Justice of the United States—an appointment which was received with universal acclaim. And foremost among those who praised his elevation was the late Senator Norris who had opposed his nomination in 1925 as Associate Justice. 'In the years that have passed I became convinced, and am now convinced, that in my opposition to the confirmation of his nomination I was entirely in error,' the late Senator confessed in a speech on the floor of the Senate, and added, 'I am now about to perform one of the most pleasant duties that has ever come to me in my official life when I cast a vote in favor of his elevation to the highest judicial office in our land.'

"Harlan Stone had served as Associate Justice for sixteen years, and was to serve as Chief Justice for five more; these twenty-one eventful years of service on this bench covered fully one-eighth of the history of the Court itself. He met the many problems brought to the Court with a judicial tact and fairness that won him universal acclaim as one of the outstanding champions of the dignity of man. This Court was faced again and again with the task of redefining the power of the Government in its relation to persons and property. Crisis after crisis was met giving this nation the necessary strength to surmount economic chaos and to defeat the armed might of totalitarianism. And all this while fully preserving and enlarging the individual liberties of our people. Harlan Stone played a leading part in the development of this continuous growth of the law. He would have felt, and we know he did feel, that his effort was only a part of that of a team. He performed his job as did every other good American citizen.

"This common touch, this feeling of friendship and brotherhood with every human being, regardless of his station in life, was perhaps

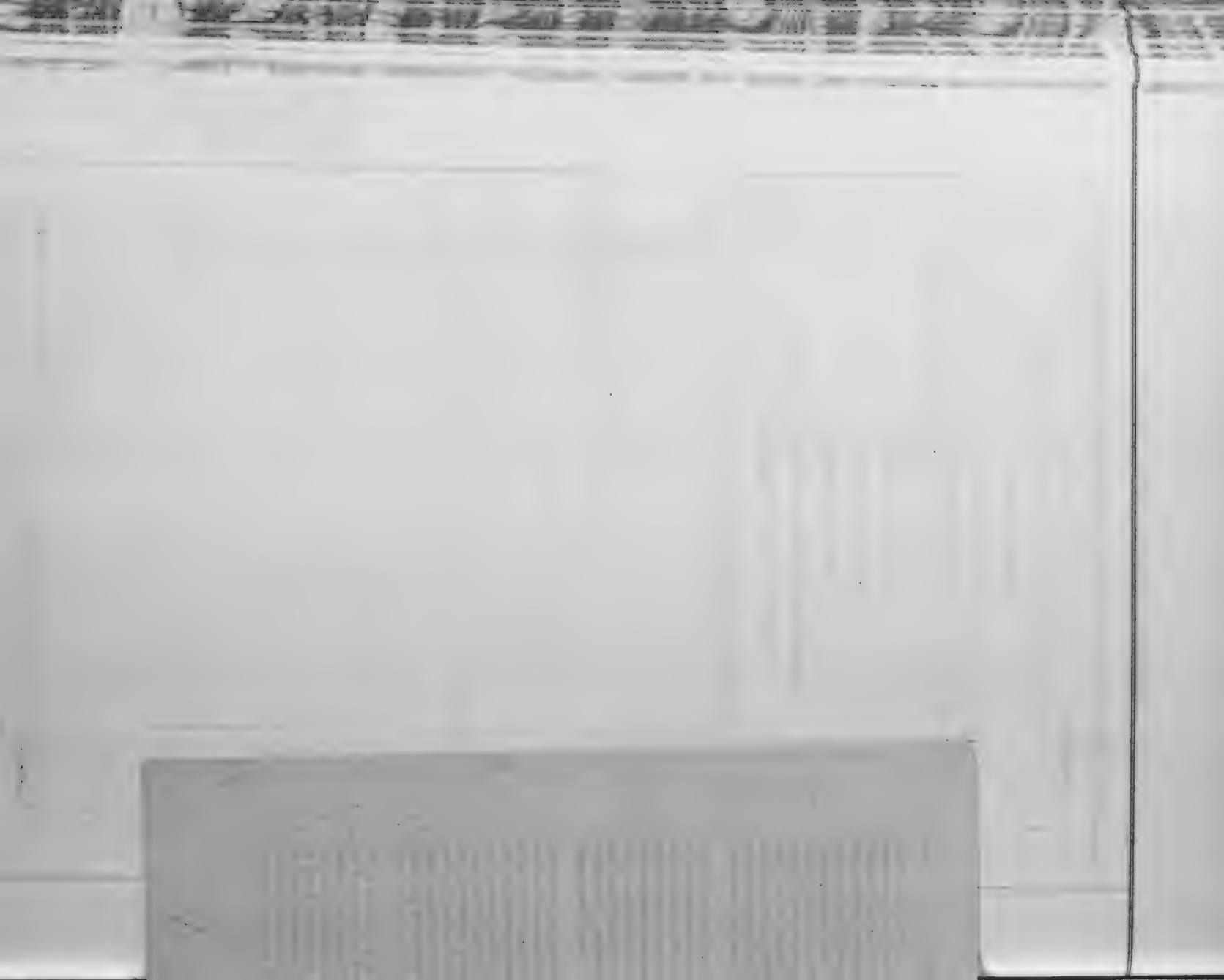


the most noteworthy facet of the character of the late Chief Justice. His ability was indeed superb and outstanding, but it was by no means overweening; his character was in truth righteous and determined, but it was not domineering. His was an outlook fundamentally healthy, for throughout his life he had maintained himself in trim—physically, mentally, and spiritually. He was a man who encompassed a wide and diversified field of interests and who was capable of mastering and appreciating each one. Though partisan of all that he considered right and good, yet when he sat in judgment he held himself strictly to a lofty concept of the nature of the judicial function. A judge by the nature of his calling must needs be thus impartial, but the wellnigh perfect detachment of Harlan Stone may serve as a model to all who may follow him.

"I shall not attempt a full evaluation of the contribution made by Harlan Fiske Stone to the law, nor can I here do adequate justice to his character or personality. Such an effort, indeed, would be as injudicious here as it would be impossible of attainment, for the progress which the law has made through his efforts is immeasurable in its vast extent. It touches the full field of legal development. The six hundred opinions of which he was the author are milestones along the pathway of legal advancement. With outstanding independence of thought, they have enriched the product of a court always justly renowned for its independence.

"Basically, I think one may say that the feeling that moved him most in his judicial life was one of humility, accompanied by a clear understanding of what he conceived his task to be and a faith in his ability to accomplish it. The law to him was not an absolute; he was not one of those who felt that the work of a Judge consisted, like that of a tailor, simply in taking the measure of legislative enactment to constitutional provision and determining whether the size of the one was too large to fit the other. On the contrary, the law had a direct relationship to changing economic and social needs. It was not a rigid bar or strait-jacket to bind the limbs of man in his development; its function was to assist and not to hinder man's progress.

"He did not feel that it was the function of a Judge or of the Court, as he put it, 'to sit as a superlegislature, or as triers of the facts on which a legislature is to say what shall or shall not' be done. In dealing, for example, with the complicated question of what instrumentalities of state or federal government might be taxed by the other, he insisted that 'the limitation upon the taxing power of each, so far as it affects the other, must receive a practical construction which permits both to function with the minimum of interference each with the other.'



"His own approach to the judicial function in construing the validity of legislation was stated simply: 'Some presumption should be indulged that the [state] legislature had an adequate knowledge of * * * local conditions * * *. On this deserved respect for the judgment of the local lawmaker depends, of course, the presumption in favor of constitutionality, for the validity of a regulation turns "upon the existence of conditions, peculiar to the business under consideration." * * * Moreover, we should not, when the matter is not clear, oppose our notion of the seriousness of the problem or the necessity of the legislation to that of local tribunals * * *. But even if the presumption is not to be indulged, and the burden no longer to be cast on him who attacks the constitutionality of a law, we need not close our eyes to available data throwing light on the problem with which the legislature had to deal.'

"Often, indeed, during his incumbency on this Bench, it must have given him satisfaction to see that the passing years had proved his point, that many of his dissenting opinions had come to express the law in the eyes of the majority of the Court. But his feeling was not merely pride because views which he had stated contrary to the majority had finally been proclaimed to be right; it was rather a sense of gratification that the Court had functioned in accordance with what he considered to be a judiciousness necessary and appropriate to it.

"His last words from this Bench were, as we all know, fully characteristic of his judicial philosophy. Fifteen years earlier, the Court had decided that admission to citizenship had to be denied an alien who because of religious scruples was unwilling to bear arms in this country's defense. He had dissented from this view, for he felt that the alien's willingness to take the oath of allegiance and to serve the nation as a noncombatant was sufficient to satisfy the statutory requirements for naturalization. The cases were much discussed, and legislation effecting Stone's views of the matter was several times proposed in the Congress, but was never enacted. Finally, in 1940 and 1942, new statutes on naturalization were passed, but they retained unchanged the language which had been earlier construed by the Court. Stone felt that this amounted to an acceptance by Congress of the Court's previous interpretation, and for him in this field that determination was conclusive. When, in 1946, the question was once more presented to the Supreme Court, although the views of the majority had come to accord with those which Stone had held in his earlier dissent, he felt his former position no longer tenable. In his dissent he said:

"'With three other Justices of the Court I dissented in the Macintosh and Bland cases, for reasons which the Court now adopts as ground

for overruling them. Since the Court in three considered earlier opinions has rejected the construction of the statute for which the dissenting Justices contended, the question, which for me is decisive of the present case, is whether Congress has likewise rejected that construction by its subsequent legislative action, and has adopted and confirmed the Court's earlier construction of the statutes in question. A study of Congressional action taken with respect to proposals for amendment of the naturalization laws since the decision in the Schwimmer case, leads me to conclude that Congress has adopted and confirmed this Court's earlier construction of the naturalization laws. For that reason alone I think that the judgment should be affirmed.'

"This was his last pronouncement as Chief Justice of the United States. It was dramatically characteristic that this last act was consistent with all the others of his life, that he died as he had lived—courageously and honestly, with the dignity and humility of a man who is at peace with himself and whose philosophy embraces all men in the scheme of government and of life.

"Words are inadequate in my effort to express the high esteem and affection in which the late Chief Justice was held as a man, and the very real respect with which his accomplishments as a Judge and his contribution to justice and law must be regarded. The courts, he felt, 'are concerned only with the power to enact statutes, and not with their wisdom' and, 'while unconstitutional exercise of power by the executive and legislative branches of the Government is subject to judicial restraint, we should remember that the only check upon our exercise of power is our own sense of self-restraint.' His abiding faith in the people was expressed in his statement that 'For the removal of unwise laws from the statute books appeal lies not to the courts but to the ballot and to the processes of democratic government.'

"Mr. Chief Justice of the United States and Associate Justices of this Court: In the name of the lawyers of this nation, and particularly of the Bar of this Court, I respectfully request that the resolution presented to you this morning memorializing the life of the late Chief Justice Harlan Fiske Stone be accepted by you, and that it, together with the chronicle of these proceedings, be ordered to be kept for all time to come in the records of this Court."

The Chief Justice said:

"Mr. Attorney General: The Court receives with deep gratification the Resolutions expressing tribute to the memory and service of the late Chief Justice. He was taken from us in the active performance of duty. No tribute would have been more highly prized by him than this tribute from the Bar of this Court, which he loved and served so well.

"The task of accurately epitomizing, in a few short paragraphs, the life and character of any man is always a difficult one. Human personality is a too richly varied and subtle thing to be captured within the confines of a formula. But in dealing with the career of Harlan Fiske Stone, the magnitude of the task is immeasurably enhanced. For few men have possessed the versatility of the late Chief Justice. Not only did he become one of the great figures in the history of this Court, but his distinguished career included service as a practicing attorney, educator, scholar, and statesman. Nor were his energies and talents confined to his professional activities. His intellectual interests were many and varied; and he was well versed in the arts of friendship.

"Harlan Fiske Stone was born at Chesterfield, New Hampshire, in the year 1872. Shortly after his birth, his parents moved to northern Massachusetts; and there he grew to maturity. The childhood of Harlan Fiske Stone was that of a typical New England farm boy. It was at times a rigorous and demanding life, but it was also a life full of satisfactions and one well calculated to develop independence and self-sufficiency.

"After a period of attendance at the Massachusetts Agricultural College, he entered Amherst College in the class of 1894. The wide breadth of his interests and talents was apparent even at this early period. While at Amherst, he made an enviable academic record and was elected to Phi Beta Kappa. But he was also a campus leader, being three times elected president of his class, and, during his junior and senior years, was a star member of the varsity football team.

"In 1895, Harlan Stone entered the Columbia Law School, an institution to which he was to dedicate much of his interests and talents in years to come. He graduated with high honors in 1898, despite the fact that during the period he was required to support himself by such outside activities as teaching and tutoring.

"From the time he received his law degree until he entered the service of the government, some twenty-six years later, Harlan Stone engaged in the active private practice of the law either on a part-time or on a full-time basis. For the six years following his graduation he supplemented his activities as a private practitioner by serving as an instructor at the Columbia Law School. In 1910 he returned to the Law School as Dean, a position which he retained until 1923. The thirteen years in which he served as Dean were years of great constructive development for the Law School. It was also during this period that he established his reputation as an outstanding legal scholar. His work in the law of equity and related subjects remains, even with the passage of the years, the definitive scholarship in those fields.

"Following the termination of his academic duties, Harlan Stone engaged in the full-time practice of law in New York City. In April,

1924, he was appointed Attorney General in the cabinet of his former classmate, President Calvin Coolidge. On January 5, 1925, he was nominated Associate Justice of the Supreme Court of the United States.

"The appointment of Harlan Stone to the Court was viewed with misgivings in some quarters. Because of the nature of his law practice, he was suspected by some of possessing the point of view of the large financial interests of the nation to the exclusion of all others. Some criticized his participation in the case of *Owenbey v. Morgan*, 256 U. S. 94 (1921). In that case he had successfully argued in this Court in defense of the constitutionality of a Delaware rule of procedure, relating to attachment cases involving nonresident defendants, which conditioned the defendant's right to appear and contest the merits of the plaintiff's demand upon the defendant's first giving special security, even where the defendant was unable to furnish such security. On March 6, 1925, the Senate confirmed his nomination, however, with only six votes cast in opposition.

"After sixteen years of distinguished service on this Court, he was appointed Chief Justice by President Franklin Roosevelt. The appointment was universally acclaimed; and the Senate confirmed the nomination without a dissenting voice being raised. Of the six members who had opposed his confirmation in 1925, two remained in the Senate in 1941 when his nomination as Chief Justice was presented. One of these was Senator George Norris, who stated: 'In the years that have passed I became convinced, and am now convinced, that in my opposition to the confirmation of his nomination I was entirely in error.'

"Harlan Stone served on this Court for twenty-one years—sixteen years as an Associate Justice and five years as Chief Justice. He served during one of the most significant periods in the history of this Court. It was a period of great social readjustment in the nation as a whole. Movement and change were the order of the day. The trend toward a new social equilibrium was felt in every aspect of the nation's life. Inevitably, the impact of the times was felt on this Court. No man played a more vital role in the development of the law during this crucial period than Harlan Stone. Some slight understanding of the importance of the part he played may be gained by observing that in the entire history of this Court probably no other member lived to see so many views expressed in dissent subsequently accepted by the majority of the Court as the law of the land.

"To Harlan Stone, the great hazard to the perpetuation of constitutional government was narrow and illiberal construction of constitutional provisions. As a corollary to that basic proposition, he believed a judge, confronted with constitutional issues, to be under

the continuing obligation of guarding against the tendency to confuse his own personal feelings as to the wisdom and expediency of legislation with the question of the constitutionality of that legislation. Self-restraint in the exercise of judicial power was to him an essential prerequisite to the successful functioning of our system of government.

"But although insisting that the exercise of judicial power be confined to its proper sphere, he did not hesitate to exert that power fully in cases where it appeared to him that basic safeguards of the fundamental charter had been overstepped. Most frequently, those were cases involving contentions that civil liberties had been denied; and in those opinions some of his most eloquent writing appears. He gave much thought to the problem of preserving individual freedom in the complexities of modern society and under a system of dual sovereignty which characterizes our form of government. He was well aware that the problem is not a simple one and is not one which may be solved by mechanical application of a convenient formula. The 'perpetual question of constitutional law,' he wrote, is to determine 'where the line is to be drawn which marks the boundary between the appropriate field of individual liberty and right and that of government action for the larger good, so as to insure the least sacrifice of both types of social advantage.'

"But Harlan Stone's contributions were not confined to the field of constitutional law. His written opinions deal with the whole range of problems which come before this Court; and in considering his contributions in these diverse fields, one cannot but be impressed with the scope of his capacities and the influence of his thought.

"As Chief Justice, Harlan Stone displayed the same energy and conscientious devotion to duty which had characterized his earlier service on the Court. He presided over the Court in the dark years of war. Difficult problems arising from the conduct of total war by a democratic nation frequently were presented for adjudication. The period was marked, also, by the continuing development of the Conference of the Senior Circuit Judges and other devices contributing to the improvement of standards of judicial administration in the federal courts.

"Harlan Stone was a man of warm human qualities. His broad interests, genial personality, and lack of pretension won for him the respect and affection of his brethren on the Court and an unusually wide circle of friends off the bench. At home, he enjoyed the happy comradeship of his gracious and gifted life's partner and their two worthy sons. I recall with pleasure my own associations with him. I will ever cherish the honor of receiving his designation to serve as Chief Justice of the Emergency Court of Appeals. Our personal and official relations were marked by his never-failing cordiality and his high sense of public responsibility.

"While not absorbed by his official duties, he was able to pursue his deep interest in literature and the arts. His intellectual curiosity was insatiable. Few men attain so well-rounded a development of their capacities.

"The high place of Harlan Stone in the history of this Court and of this nation is well assured. American jurisprudence has been enriched by his creative touch. His life and character were in complete accord with the finest of democratic traditions."

The Chief Justice directed that the resolutions be spread upon the minutes of the Court.

Mr. Solicitor General Perlman addressed the Court as follows:

"May it please this Honorable Court:

"At a meeting of members of the bar of the Supreme Court, held on November 12th, 1947, resolutions expressing their profound sorrow at the death of Associate Justice James Clark McReynolds were offered by a committee, of which the Honorable James F. Byrnes, former Associate Justice of the Supreme Court, was chairman. Addresses on the resolutions were made by the Honorable John W. Davis, the Honorable George Wharton Pepper and the Honorable R. V. Fletcher. The resolutions, adopted unanimously, are as follows:

"'RESOLUTIONS

"'At a meeting of the Bar of the Supreme Court of the United States held on November 12, 1947, to take appropriate action in memory of the late Mr. Justice McReynolds, the Committee appointed by the Solicitor General reported this Minute for submission and action:

"'Although he was a native of Kentucky, the career of James Clark McReynolds was more closely identified with the State of Tennessee, where he received his academic training and first practiced law. For many years he was the only representative of the South on the Supreme Court of the United States. Preeminently he represented the philosophy which has come to be known as that of the constitutional Democrat. He characterized his own ideas as those "of an old-time Cleveland Democrat" and "of a gold Democrat."

"'He was the supreme type of the rugged individualist. Ruggedness was his outstanding characteristic. He was a large, six-foot frame of a man, with erect, military bearing and the aspect of an early Roman senator. He had a face of great strength, which might

have seemed carved from Tennessee granite, but for the illumination of steel-blue eyes and a suddenly flashing smile. It was a face which could express every shade of feeling, from genuine graciousness and generosity of spirit, through flashing wit and humor, to the most satiric scorn.

"'As an individualist he believed in the individual and his rights. He believed also in the reserved powers of the States. He resented and resisted the growing exercise of power by the Federal Government in fields formerly conceived to have been reserved to the States. He was a strict constructionist, who felt an impelling conviction that the Federal Government ought to be held within the framework of its field of action as delegated to it by the people in the written Constitution and who resisted what he felt to be a tendency to amend the Constitution and to expand Federal power by judicial interpretation. And yet, likewise as an individualist, he was strongly opposed to monopoly and was a vigorous supporter of the antitrust laws.

"'He served over a quarter of a century on the Supreme Court: through World War I, through the following great depression, through the era of the vast expansion of Federal power, through the dramatic and historic attack by the Executive on the judiciary, and through a period in which, ironically enough, he succeeded Louis Dembitz Brandeis as "the Great Dissenter." He held on with grim determination after the times had turned against his views and retired just two days before his seventy-ninth birthday. He presents the paradox of having come to the Court as a much-vaunted, antitrust liberal and of having left it as the most die-hard representative of the conservative wing. Yet a careful study of his opinions throughout the quarter-century will disclose a pattern of inflexible and unyielding consistency. It was not James Clark McReynolds who changed. It was the times, the country, the prevailing constitutional views and the Supreme Court that changed. Justice McReynolds remained standing in his place, like a granite mountain.

"'Two illustrations will suffice to show this immovability. They are both in the field of his opposition to what he deemed to be encroachments of the Federal Government upon the reserved powers of the States.

"'One of his most famous dissents was a short one of three paragraphs in the Oregon-Washington Railway and Navigation Company case, in 1926. The Court, in an opinion by Chief Justice Taft, held that an act of Congress covered the whole field of plant disease control, so far as its spread by interstate transportation could be affected and restrained, and that consequently a statute of the State of Washington attempting quarantine against the interstate importation of alfalfa weevil was invalid. Justice McReynolds delivered a char-

acteristically vigorous dissent, joined in by Justice Sutherland, in which he took the position that the act of Congress did not by its own terms conflict with the State statute, that the Secretary of Agriculture had taken no action under the powers delegated to him by Congress which conflicted with the State statute, and in which he concluded: "It is a serious thing to paralyze the efforts of a State to protect her people against impending calamity, and leave them to the slow charity of a far-off and perhaps supine Federal bureau. No such purpose should be attributed to Congress unless indicated beyond reasonable doubt." Congress promptly amended the Federal act interpreted in that case and made it clear that the views of the McReynolds dissent should prevail.

"'His last official action, on January 20, 1941, was to join with Chief Justice Hughes in concurrence in a dissent written by Mr. Justice Stone in the Davidowitz case. The majority, in an opinion by Mr. Justice Black, held that a Pennsylvania alien-registration statute was invalid as in conflict with the Federal Alien Registration Act, which was held to have occupied the field to the exclusion of State legislation. The dissenters saw no conflict between the two acts and warned: "At a time when the exercise of the federal power is being rapidly expanded through Congressional action, it is difficult to overstate the importance of safeguarding against such diminution of state power by vague inferences as to what Congress might have intended if it had considered the matter or by reference to our own conceptions of a policy which Congress has not expressed and which is not plainly to be inferred from the legislation which it has enacted. * * * Little aid can be derived from the vague and illusory but often repeated formula that Congress 'by occupying the field' has excluded from it all state legislation. Every Act of Congress occupies some field, but we must know the boundaries of that field before we can say that it has precluded a state from the exercise of any power reserved to it by the Constitution."

"'This last official act is wholly reminiscent of his 1926 dissent and exemplifies the unchangeableness that was McReynolds.

"'His most famous dissent, one of the most dramatic ever delivered from the bench of the Supreme Court, was his dissent from the decision of the Court in the "gold-clause cases." He was joined in it by Justices Van Devanter, Sutherland, and Butler. He completely departed from his written opinion and went to the country with an extemporaneous denunciation of repudiation of contracts and devaluation of the currency which electrified his auditors, sympathetic and unsympathetic alike. No stenographic transcript of what he said was taken. His remarks were quoted only fragmentarily, in the press. It was feared that they would be lost to posterity. Justice McReynolds

himself prepared a revision of his remarks, which was published by the Wall Street Journal as the most authentic version. Many who heard the utterance will remember passages that do not appear in that version and will remember differently many that do appear. He has often been quoted as saying, "The Constitution is gone." It is believed the expression he used was, "The Constitution, as we have known it, is gone."

"'Among the stronger expressions contained in Justice McReynolds' own revision are the following:

"'"Mr. Justice Van Devanter, Mr. Justice Sutherland, Mr. Justice Butler, and I do not accept the conclusions announced by the court. The record reveals clear purpose to bring about confiscation of private rights and repudiation of national obligations. To us, these things are abhorrent. We cannot believe the wise men who framed the Constitution intended to authorize them. On the contrary, adequate words of inhibition are there.

* * * * * * *

"'"First, the President is granted power to depreciate the dollar. He fixed sixty cents. Next, attempt is made to destroy private obligations by 'A Statute to Regulate the Currency of the United States.' Also to destroy Government obligations. The same language—the same section—covers both. Having put out five hundred million Gold Clause bonds in May, Congress declares in June that these promises so to pay in gold are illegal and contrary to existing public policy, although this had been consistently observed for many years and had been approved by the courts.

"'"After this effort to destroy the gold clause, the dollar is depreciated to sixty cents. Prices are to be estimated in deflated dollars. Mortgages, bank deposits, insurance funds, everything that thrifty men have accumulated, is subject to this depreciation. And we are told there is no remedy.

"'"We venture to say that the Constitution gives no such arbitrary power. It was not there originally; it was not there yesterday; it is not properly there today.

* * * * * * *

"'"It is said that the National Government has made by these transactions $2,800,000,000 and that all gold hypothecated to the Treasury now may be used to discharge public obligations! If the dollar be depreciated to five cents or possibly one, then, through fraud, all government obligations could be discharged quite simply.

"'"Shame and humiliation are upon us now. Moral and financial chaos may confidently be expected."

"This fervid dissent accords with the view he himself had expressed many years before in another dissenting opinion that "an amorphous

dummy, unspotted by human emotions" is not "a becoming receptacle for judicial power."

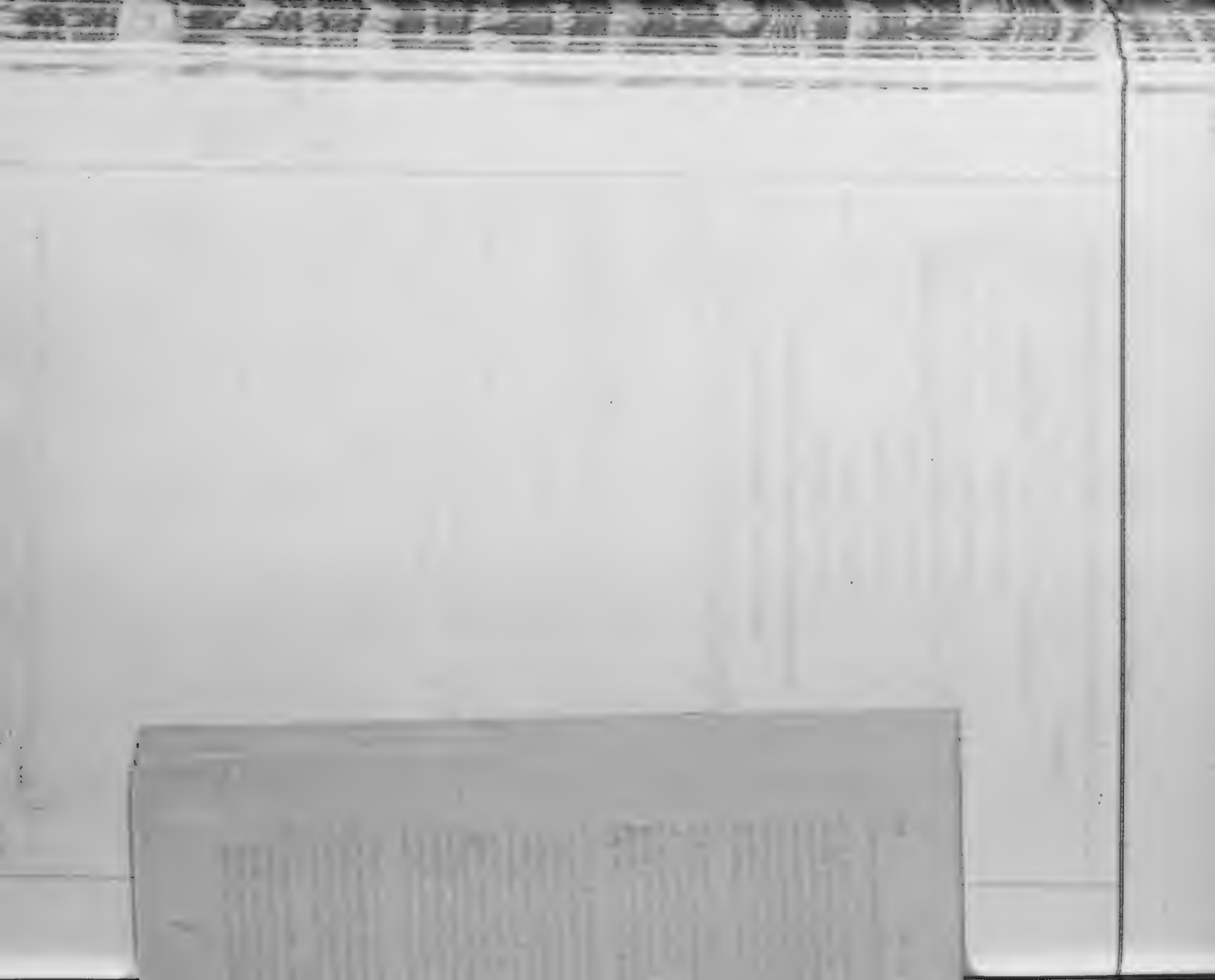
"'So much discussion of his dissents should not cast doubt on his profound contribution to jurisprudence in his many majority opinions throughout his long period of service. His dissents became more and more numerous after 1933. But throughout his long judicial career he made such a continuous and constructive contribution to judicial decision, in so many fields of the law, that it would be impracticable in these resolutions to attempt a summarization. That contribution will ever stand as vitally significant in the history of the period, of the Court and of its jurisprudence.

"'James Clark McReynolds was born in Elkton, Kentucky, on February 3, 1862, of Scotch-Irish descent, the son of Dr. John O. and Ellen (Reeves) McReynolds. His father was determined that he should be a professional man, a doctor or a lawyer, and sent him to Vanderbilt University, where he received the degree of Bachelor of Science in 1882, completing a four-year course in three years. He took first honors in his class, received the Founders' Gold Medal, and was elected valedictorian by his classmates.

"'He received his law degree from the Department of Law of the University of Virginia in 1884. Returning to Nashville, Tenn., he began the practice of law and also served as a member of the faculty of the Vanderbilt Law School. He achieved a considerable reputation by his zeal, diligence and ability in the practice there. In 1903 Philander C. Knox, Republican Attorney General, was looking for a $30,000-a-year lawyer who would work for $5,000. A friend gave him the name of James Clark McReynolds but warned that he was a Democrat. Mr. Knox said that he wanted a lawyer, not a politician, and he made the young Tennessee lawyer Assistant Attorney General and put him in charge of antitrust prosecutions. In this position McReynolds remained from 1903 to 1907 and successfully prosecuted many important cases. Thereafter he practiced for several years in New York City.

"'Later he came back to the Department of Justice as Special Assistant to the Attorney General and successfully prosecuted and argued in the Supreme Court the celebrated American Tobacco Company case, which was argued in January 1910, reargued in January 1911, and decided on May 29, 1911, and the famous Temple Iron Company case, decided December 16, 1912.

"'He served as Attorney General in President Wilson's cabinet in 1913 and 1914, in which position he had a stormy and controversial career. He was bitterly attacked by a group of Senators led by Senator Borah and Senator Works on a charge that he maintained a corps of special agents operating a system of espionage to investi-



gate Federal judges with a view to influencing their decisions. A Senate resolution called on him for information regarding the matters charged, "so far as not incompatible with the public interest." He made a report to the President on August 6, 1913, transmitted also to the Senate, in which he took an unyielding position. He described the kind of investigating agents he maintained. He said that the disclosure of their names would be incompatible with the public interest. On the same ground he refused to name any judge who had been investigated, except Judge Archbald, whose impeachment trial was public property. And he sternly declared, "The suggestion that the Department of Justice is maintaining a system of espionage over the courts and judges of the country is entirely without foundation."

"'He was nominated Associate Justice of the Supreme Court of the United States by President Wilson in August 1914, to succeed Justice Horace Harmon Lurton, who had died July 12, 1914. He was confirmed by the Senate on August 29, 1914. He took the oath of office September 5, 1914. The judicial oath was administered to him and he took his seat on the bench at the opening of the following October Term. His first opinion for the Court was handed down on November 30, 1914; his last on January 20, 1941, twenty-six years and almost two months later.

"'The personnel of the Court when he took his seat in 1914 was: Chief Justice Edward Douglass White and Associate Justices Joseph McKenna, Oliver Wendell Holmes, William R. Day, Charles Evans Hughes, Willis Van Devanter, Joseph Rucker Lamar, Mahlon Pitney, and James Clark McReynolds.

"'When he retired on February 1, 1941, the personnel of the Court was: Chief Justice Charles Evans Hughes (who followed him in retirement on June 2, 1941) and Associate Justices James Clark McReynolds (the senior Justice), Harlan Fiske Stone, Owen J. Roberts, Hugo L. Black, Stanley Reed, Felix Frankfurter, William O. Douglas, and Frank Murphy.

"'His twenty-six years of service on the bench saw the passing from the scene of every member of the Court as constituted when he took his seat, except Charles Evans Hughes, who had returned as Chief Justice after an interval of fourteen years following his retirement to run for the Presidency against Woodrow Wilson, and likewise saw the passing of such intervening famous personalities as George Sutherland, Pierce Butler, Louis Dembitz Brandeis, and Benjamin N. Cardozo.

"'His career was fittingly epitomized by Chief Justice Hughes when he said, after the opening of the Court on February 3, 1941:

> "'On February 1, 1941, Mr. Justice James Clark McReynolds retired from active service as Associate Justice of this Court.

Forthright, independent, maintaining with strength and tenacity of conviction his conceptions of constitutional right, he has served with distinction upon this bench for upwards of twenty-six years and has left a deep impress upon the jurisprudence of the Court. It is hoped that, relieved of the burden of active service, he will enjoy his accustomed vigor of body and mind.

"'After his retirement, Justice McReynolds made his home at 2400 Sixteenth Street NW., Washington, D. C. He had never married and for many years was the only bachelor on the Court.

"'He had an idiosyncrasy against smoking, which he applied with some rigor against his law clerks and which was generally respected by his guests. Yet he was a charming and gracious host and his Sunday morning breakfasts were famous. He loved duck hunting and golf. He was a great walker. He was a discriminating lover of books and a deep student of history.

"'A revealing side of his character was his gentleness and generosity to the humble and to those in need. During World War II he adopted thirty-three British children, supported them and personally corresponded with every one of them. Cartoons in the press treated the crusty old bachelor Justice as having outdone the old woman who lived in a shoe. His love of children is also shown by his many benefactions to the Children's Hospital of the District of Columbia. He made many unheralded benefactions to charities and to needy individuals during his lifetime, and in his last will and testament he left charitable bequests totaling nearly $100,000 and many additional individual bequests.

"'After several weeks of illness in Walter Reed Hospital, he died on August 24, 1946, and was buried in the family burial ground in Elkton, Kentucky.

"'Men will always differ in their views of James Clark McReynolds as they differ in their attitudes toward constitutional questions. But no one can doubt that he was a man of great character and power, a significant figure in a time of great change, unshakable in his devotion to the public welfare as he conceived it and to constitutional principles in which he had the sincerest and profoundest belief.

"'*Resolved*, That the foregoing Minute be adopted; that a copy of it be transmitted to the Attorney General of the United States for presentation to the Court, and that the Chairman be directed to forward copies of it to the next of kin of Mr. Justice McReynolds.'"

Mr. Attorney General Clark addressed the Court as follows:

"Mr. Chief Justice and Associate Justices, as we gather here today I deem it a privilege to speak in memory of the late Mr. Justice James Clark McReynolds, who passed away on August 24, 1946.

"Mr. Justice McReynolds was born on February 3, 1862, at Elkton, Kentucky. He was educated in Tennessee, and received the degree of Bachelor of Science with highest honors from Vanderbilt University when barely 20 years of age. Entering the University of Virginia he was graduated from the Department of Law of that institution two years later. He thereupon entered upon the private practice in Nashville, Tenn., serving at the same time as a member of the faculty of the Vanderbilt Law School. His competence and enthusiasm for his work soon became widely known and greatly respected.

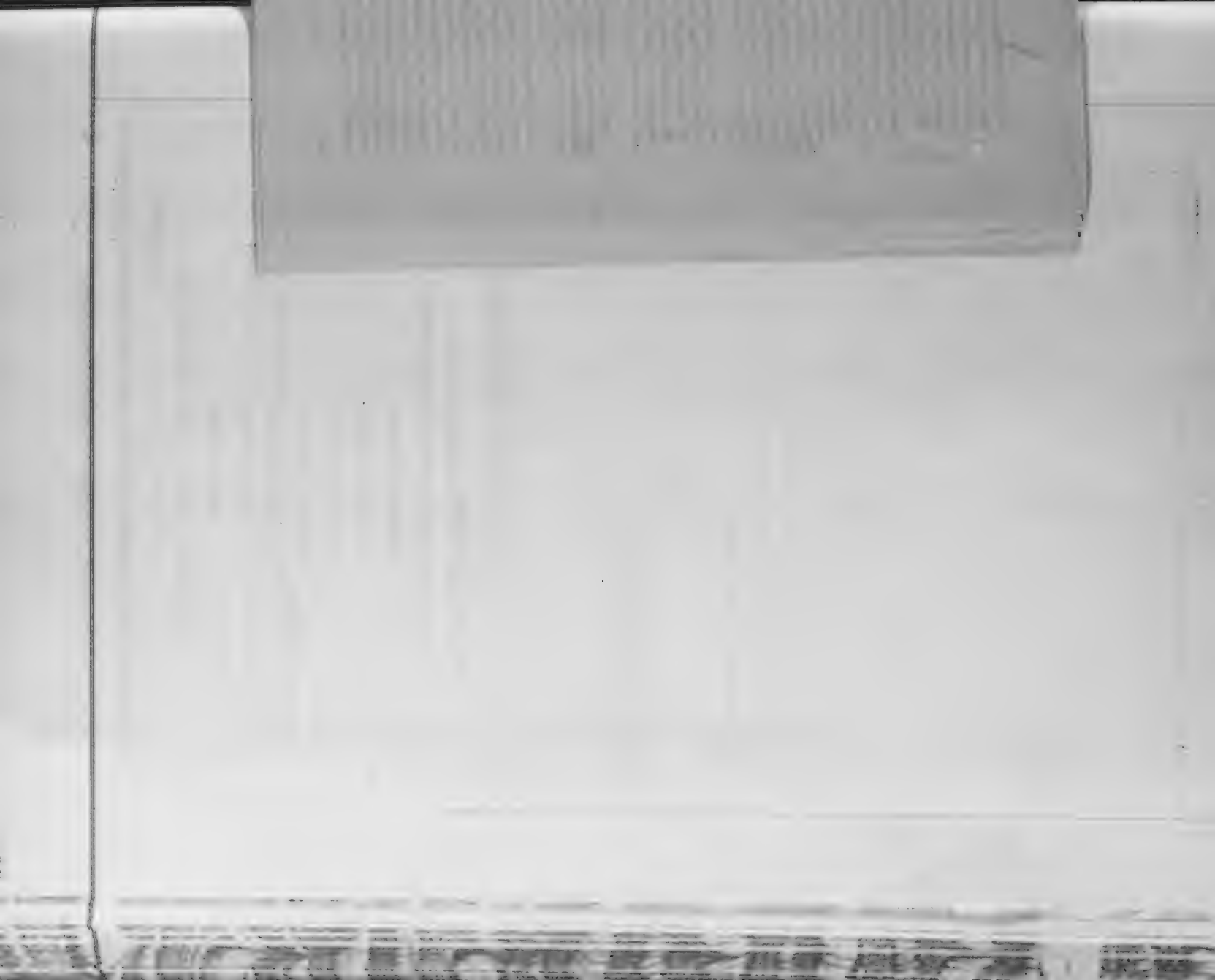
"In 1903 Attorney General Philander C. Knox recognized in McReynolds the type of lawyer he was seeking—a $30,000-a-year man, as Knox himself put it, who would work for $5,000 a year. McReynolds was his man. He became Assistant Attorney General and was placed in charge of antitrust prosecutions.

"The so-called 'trust busting' era from 1903 to 1907 was the period during which McReynolds held that position. He was unstintingly active in the making of this history. Later he was destined to give completely of himself in assisting in the development of the law on the Bench of this Court.

"The late Justice left the Federal service in 1907 and began the practice of law in New York City. In 1913, however, President Wilson invited him to accept the office of Attorney General of the United States, and in March of that year he assumed his duties as head of the Federal Department of Justice. He served in this capacity until he was nominated as an Associate Justice of the Supreme Court.

"His activity with regard to the development of antitrust law is especially worthy of note. He prosecuted most of the important antitrust cases of his time. His prosecution and presentation of the case that broke the grip of the Tobacco Trust are said to have been brilliant. He was active in the suit brought against the Reading Company to end monopolistic control of the anthracite coal industry, and he vigorously conducted the New Haven Railroad case that attacked the New England transportation monopoly. He successfully fought the concentration of wire communications in the hands of the American Telephone and Telegraph Company and forced the dissolution of the combination created when the Union Pacific Railroad Company acquired control of the Southern Pacific Company.

"Perhaps the best known of all the cases with which McReynolds was associated was the famous suit against the American Tobacco Company. The Tobacco Trust case, as it was called, was twice argued before the Supreme Court by some of the most eminent lawyers of the day. In its decision, rendered in 1911, this Court fixed into permanence the "rule of reason" which had first been stated in the



earlier decision dissolving the Standard Oil Trust. It is not too much to say that this interpretation colored all subsequent development of the Sherman Antitrust Act, and it was certainly a basic factor in the enactment and content of the Clayton Antitrust Act and the Federal Trade Commission Act of 1914.

"Mr. McReynolds' tenure as Attorney General lasted a little over a year, and terminated with his accession to the Bench of this Court. He was nominated by President Wilson in August of 1914, to fill the vacancy left by the death of Justice Horace Harmon Lurton on July 12 of that year. He took his seat on this Bench at the opening of the October 1914 term. He sat as a member of the Court from that time until February 1, 1941, when by retirement he ended twenty-seven years' service as an Associate Justice of the Supreme Court of the United States. After retiring he remained in Washington where he died on August 24, 1946.

"I should like to refer, Mr. Chief Justice and Associate Justices, to the character and philosophy of the late Mr. Justice McReynolds.

"I suppose that the salient points in his character and philosophy were a rigid righteousness, an unyielding determination, and unshakable stability. When he felt deeply on a question, his view absorbed him so completely that he had the greatest difficulty in moderating his expression, or in tolerating sustained argument by those who opposed him. Those who were present when this Court rendered its decision in the Gold Clause cases report that Justice McReynolds was almost beside himself with feeling as he spoke extemporaneously in dissent. He could not be tolerant on an issue which seemed to him so deeply of the essence of our national honesty and honor. He could not be cool and detached in the face of what he considered to be a repudiation of right conduct on the part of our Government.

"Justice McReynolds' judicial philosophy always limited him to the naked question at bar. It prevented him from unnecessarily expressing an opinion on related issues in obiter dicta, and it made his style terse and direct. A well-known manifestation of this characteristic was his three-paragraph dissenting opinion in the case of *Oregon-Washington Railroad & Navigation Company* v. *State of Washington*, in 270 U. S. 87, 103 (1926). There, in discussing the validity of a state statute of Washington, where the Congress had legislated on the broad subject by delegating authority to the Secretary of Agriculture, but where the Secretary had not acted, Justice McReynolds disagreed with the view of the majority of the Court that the State statute was unconstitutional. His style and his philosophy are both illustrated by the concluding paragraph of that short dissent, where he stated that 'It is a serious thing to paralyze the efforts of a state to protect her people against impending calamity, and leave them to the slow charity of a far-off and perhaps supine Federal bureau. No

such purpose should be attributed to Congress unless indicated beyond reasonable doubt.'

"Justice McReynolds was persevering and stable in his character and in his views.

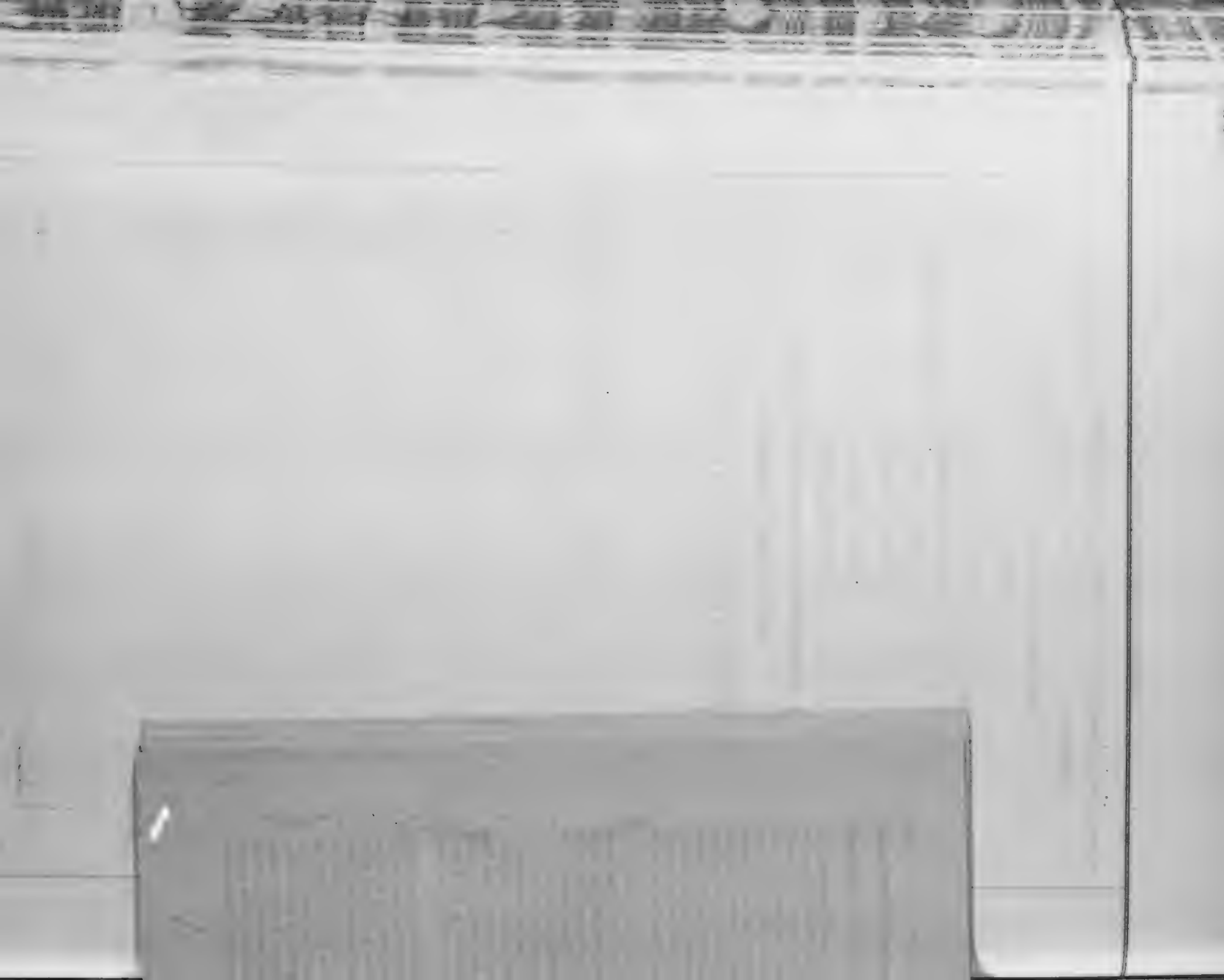
"Philosophically, morally, professionally, Justice McReynolds remained constant—changing but little, if any. When he began his career he was thought to be rather radical in his views, particularly on public business; when his active life ended in retirement, his position was considered conservative. But Justice McReynolds himself was neither liberal nor conservative. It was simply that the nation was more conservative than he at the beginning of his career, and more liberal at its end. It was the times—the public, popular political preferences, the world situation—that changed and not he. During history's shifting of scenes on the stage of political and social movement, this man remained an enduring rock of fixed location, a philosophical bench mark from which a historian might survey the past or future temper of the nation.

"Justice McReynolds could not have been otherwise. His code of honor was inflexible and unyielding. He could no more yield at the end of his career to the proponents of a progressivism with which he disagreed than he could have given way at the beginning of his career to those who upheld the older order. He was strong in his beliefs, and his feeling endured that those beliefs were right.

"The late Justice was the prototype of the rugged individualist, believing firmly in man living independently and untrammeled by restrictions. He opposed monopoly and power, whether such power was exercised by private interest or by public, whether it arose from the concentration of wealth and strength in the hands of individual citizens, or whether it resulted from an expansion by the Federal Government whose authority he feared as overflowing the banks formed by the Constitution.

"Contrary to public belief Mr. Justice McReynolds was not a lonely man. He loved the company of those who shared his views and his principles. He had a big heart for the young and for education. While he was in truth unbending in his political and judicial views, he had all of the human qualities that endeared him to all who knew him. At his death he left large bequests to Centre College—for educational and religious purposes. During his life he followed the practice of giving generously—and anonymously—to charity.

"On his daily walks one would hear him inquiring as to the welfare of his neighbors and particularly the youngsters. On some occasions his walks would be interrupted by an unkempt, hurt child. He was never too engrossed or self-contained to stop and bend down on such occasion to console the tot and assuage the pain, and place a coin or two into its little hand.



"May it please this Honorable Court: In the name of the lawyers of this nation, and particularly of the Bar of this Court, I respectfully request that the resolution presented to you in memory of the late Justice James Clark McReynolds be accepted by you, and that it, together with the chronicle of these proceedings, be ordered kept for all time in the records of this Court."

The Chief Justice said:

"Mr. Attorney General: In receiving the Resolutions which you have presented, the Court expresses deep appreciation for the tribute from the Bar of this Court to the memory of this eminent lawyer, statesman, and jurist—an able and faithful member of this Court, who gave 26 years of his life in its service.

"James Clark McReynolds was born in the town of Elkton, Kentucky, in the second year of the War between the States. His ancestry was of the sturdy Scotch-Irish stock which has contributed so greatly to the development of the American republic and which has produced so many distinguished figures in American public life.

"James McReynolds grew to maturity during that period in our history in which the American nation was undergoing a transition from a society predominately agricultural in interests and outlook to a society dominated by the interests and problems of an industrial civilization. He was graduated from Vanderbilt University in 1882 with highest honors, was elected valedictorian of his class and was awarded the Founder's Gold Medal. Two years later, he received his degree in law from the University of Virginia.

"At the conclusion of his professional training, he entered into the practice of law in Nashville, Tennessee, where he gained an enviable reputation for diligence, ability, and integrity. During the same period, he supplemented his activities as a practicing attorney by serving as a member of the faculty of law at Vanderbilt University.

"In 1903, though a member of the Democratic party, he was appointed Assistant Attorney General in the administration of President Theodore Roosevelt and was placed in charge of antitrust prosecutions. He performed his important duties with distinction for four years, leaving his post in 1907 to undertake the practice of law in New York City. Shortly thereafter, he returned to the Department of Justice as Special Assistant to the Attorney General and participated in some of the most important antitrust litigation of the period, including the *American Tobacco Company* case.

"In March 1913, he was appointed Attorney General by the newly elected President, Woodrow Wilson. He served in that capacity until August 1914 when he was appointed an Associate Justice of the Supreme Court of the United States to fill the vacancy caused by the

death of Mr. Justice Lurton. He was an active member of this Court for over twenty-six years, serving until his retirement on February 1, 1941. Death came at the age of 84 on August 24, 1946. He was buried in the family burial ground in Elkton, Kentucky.

"Mr. Justice McReynolds performed his judicial duties during a crucial period in American history. He entered into his office some six weeks after the outbreak of the European phase of the first World War. He left the bench while a second World War was raging overseas. In the intervening period, the nation experienced a major economic depression. Inevitably, the impact of the events of the time gave rise to issues of the highest importance, many of which this Court was called upon to resolve.

"To the solution of these perplexing problems, Mr. Justice McReynolds brought a fully matured legal philosophy. It was a set of principles which has been given frequent expression in American Constitutional history. It calls for strict construction of constitutionally granted powers, vigorous defense of States' rights, and for narrow confinement of governmental interference with individual freedom of action. Mr. Justice McReynolds brought to his judicial labors a deep conviction that the structure of this Nation had been built on strong foundations. He believed that it was in the functioning of the judicial process that those foundations could best be preserved and strengthened; and upon that process he based his greatest hopes for our future welfare. He also believed, as he once remarked, that the power of this Court 'does not lie in the army, it does not lie in the navy, nor in the militia; it lies in the faith of the people for whom it was created * * *.' For over twenty-six years Mr. Justice McReynolds consistently applied these principles with zeal, ability, and diligence, and with a conviction and intensity which could not brook compromise. 'Constitutional guarantees,' he wrote upon one occasion, 'were intended to be immutable essences within our charter * * *. Certain fundamentals have been put beyond experimentation.' But, in his view, the function of the judge is not that of a mere automaton. Thus, in his dissent in *Berger* v. *United States*, 295 U. S. 22, 43, he remarked: 'And while "an overspeaking judge is no well-tuned cymbal" neither is an amorphous dummy unspotted by human emotions a becoming receptacle for judicial power.'

"During his long tenure upon the bench, Mr. Justice McReynolds expressed his views, both in majority and dissent, in a great number of cases presenting the immense variety of problems which come before this Court. His opinions reveal a conscious and continuing effort to decide no more than required by the issues of the particular case before him. His writing shows little taste for epigram. His literary style, characteristic of the man, was terse, direct, and clear,

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yet capable of translating to the reader the conviction and fervor with which his views were expressed. He wrote during a period when the integration of our society through a developing industrialism and the rapid growth of transportation and communication necessitated adjustments between the roles of the federal and state governments; but he never lost sight of the place of the States in the American governmental system. He appreciated the importance of private property in our economy and recognized that the maintenance of law and order is fundamental to the national welfare. The expression that his opinions give to those views reinforces the basic constitutional theories that governed his decisions.

"Mr. Justice McReynolds was a man of broad intellectual interests. He was a generous host, and greatly enjoyed the company of his friends. The welfare of children was a matter of genuine concern to him. Upon his retirement from the Court, he 'adopted' and supported thirty-three British children whose homes had been destroyed by the bombings of London. His interest in these innocent victims of war was personal and profound. He gave a further practical manifestation of his concern by offering to contribute the first $10,000 to a $10,000,000 Save the Children Fund. His will contained numerous bequests to charities dedicated to child welfare and to others concerned with the care of the weak and the helpless. Throughout his life, Mr. Justice McReynolds was interested in the education of young people. His will contained several substantial gifts to institutions providing legal education, reflecting an interest derived from his long career as teacher of law, practitioner, and judge. But he was concerned, not only with professional training, but also with the problems of general education. Thus his will contained bequests to liberal arts colleges such as Centre College at Danville, Kentucky, an institution which he loved, though of which he was not an alumnus.

"Above all, Mr. Justice McReynolds was a man of sincerity and independence. His views on the controversial issues of his time were, to him, matters of vital moral conviction. In their defense, he dedicated the full resources of his spirit and character. It is not surprising that his views evoked strong response, both in support and opposition. But even those of a different philosophy found much to admire in his absolute integrity and his rugged forthrightness. Complete conformity in thought and opinion has never been considered a virtue in this Republic. It is a basic tenet of our political doctrine that out of the clash of opposing views we are most likely to approach truth. So long as that is our faith, we will pay tribute to the memory of a man who never deviated from the path of principles which to him were fundamental to the nation's welfare."

The Chief Justice directed that the resolutions be spread upon the minutes of the Court.

James V. Bellanca, of Detroit, Mich.; John R. Monaghan, of Detroit, Mich.; David A. Golden, of New York City; John J. Gibbons, Jr., of New York City; and Manuel F. Cohen, of New York City, were admitted to practice.

Adjourned until Monday, April 5, next, at 12 o'clock.

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On motion first made to the Court in this behalf by Mr. Edward J. Hayes, It is ordered that James V. Bellanca, Esquire, of Detroit, State of Michigan, and John R. Monaghan, Esquire, of Detroit, State of Michigan, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. John G. Lerch, It is ordered that David A. Golden, Esquire, of New York, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Martin W. Meyer, It is ordered that John J. Gibson, Jr., Esquire, of New York, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. John E. Downs, It is ordered that Manuel F. Cohen, Esquire, of New York, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

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Proclamation being made the Court is adjourned until Monday, April 5, next, at 12 o'clock.

Pursuant to adjournment the Court met at the Supreme Court Building.

PRESENT:

The Honorable Fred M. Vinson, Chief Justice,
Hugo L. Black,
Stanley Reed,
Felix Frankfurter,
William O. Douglas,
Robert H. Jackson,
Wiley Rutledge,
Harold H. Burton. Associate Justices.

Thomas Ennalls Waggaman, Esquire, Marshal,

Charles Elmore Cropley, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Homer Ferguson, It is ordered that Anne R. Davidow, of Detroit, State of Michigan, be admitted to practice as an Attorney and Counsellor of this Court, and she was sworn accordingly. (Miss)

On motion first made to the Court in this behalf by Mr. Solicitor General Philip B. Perlman, It is ordered that Harold D. Beaton, Esquire, of Saint Ignace, State of Michigan, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. James I. Dolliver, It is ordered that Don Hise, Esquire, of Des Moines, State of Iowa, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Francis E. Walter, It is ordered that Frank J. Kingfield, Esquire, of Phillipsburg, State of New Jersey, and Saul N. Schechter, Esquire, of Belvidere, State of New Jersey, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Wm. W. Blackney, It is ordered that John S. Beagle, Esquire, of Flint, State of Michigan, and Van H. Stewart, Esquire, of Flint, State of Michigan, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Clair Engle, It is ordered that John Calvin Williamson, Esquire, of Washington, District of Columbia, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Eugene Worley, It is ordered that Herman N. Sloss, Esquire, of Amarillo, State of Texas, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Harry P. Riley, It is ordered that John August Vopatek, Esquire, of Chicago, State of Illinois, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Jas. C. Davis, It is ordered that Alta Petersen, of Atlanta, State of Georgia, be admitted to practice as an Attorney and Counsellor of this Court, and she (Miss)
was sworn accordingly.

On motion first made to the Court in this behalf by Mr. George A. Dondero, It is ordered that Perry W. Richwine, Esquire, of Plymouth, State of Michigan, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Lee W. Cowan, It is ordered that Harry Bonnett, Esquire, of Washington, District of Columbia, and Reuben Bonnett, Esquire, of Washington, District of Columbia, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. John Marshall Littlepage, It is ordered that Elmon M. Williams, Esquire, of Greenwood, State of Indiana, and Noel C. Neal, Esquire, of Noblesville, State of Indiana, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mrs. Carolyn Royall Just, It is ordered that Beatrice Hayes Podell, of Chicago, State of Illinois, be admitted to practice as an Attorney and Counsellor of this Court, and she was sworn accordingly. (Mrs.)

On motion first made to the Court in this behalf by Mr. Milton S. Briggs, It is ordered that Helen Elizabeth Lutzen, of Milwaukee, State of Wisconsin, be admitted to practice as an Attorney and Counsellor of this Court, and she was sworn accordingly. (Miss)

On motion first made to the Court in this behalf by Mr. M. Manning Marcus, It is ordered that Julius L. Sherwin, Esquire, of Chicago, State of Illinois, and Theodore R. Sherwin, Esquire, of Chicago, State of Illinois, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. John T. M. Reddan, It is ordered that Dillard Stokes, Esquire, of Louisville, Commonwealth of Kentucky, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Philip Goldstein, It is ordered that E. Alexander Edelstein, Esquire, of Asbury Park, State of New Jersey, and Benjamin Edelstein, Esquire, of Asbury Park, State of New Jersey, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Thomas T. McVann, It is ordered that Robert E. Barnes, Esquire, of Flushing, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Tosh Douglass Davidson, It is ordered that Vernon Franklyn Greene, Esquire, of Baltimore, State of Maryland, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Joseph P. McCarthy, It is ordered that Albert E. Baker, Esquire, of New York, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Vincent A. Kleinfeld, It is ordered that Robert L. Golby, Esquire, of New York, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Howard Cecil Kilpatrick, It is ordered that John Vaughan Groner, Esquire, of New York, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. George M. Johnson, It is ordered that Frank Bloom, Esquire, of Chicago, State of Illinois, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. William J. Hughes, Jr., It is ordered that Lauren Arden Arn, Esquire, of Dunkirk, State of Ohio, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Paul Sprague Davis, It is ordered that Howard S. Guttmann, Esquire, of Washington, District of Columbia, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Richard J. Conner, It is ordered that Edmund F. Ortmeyer, Esquire, of Evansville, State of Indiana, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Joseph C. McGarraghy, It is ordered that Andrew J. McGarraghy, Esquire, of Saranac Lake, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Wesley E. Disney, It is ordered that Herbert L. Branan, Esquire, of Oklahoma City, State of Oklahoma, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Robert Stuart Erdahl, It is ordered that William Martin McLain, Esquire, of Warren, State of Ohio, and Paul J. Reagon, Esquire, of Warren, State of Ohio, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. John Paul Jones, It is ordered that Mario A. Costantini, Esquire, of Falls Church, Commonwealth of Virginia, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

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Commissioner of Internal Revenue, Petitioner,

227 vs.

Joseph Sunnen.

On writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit.

THIS CAUSE came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Eighth Circuit, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is ordered and adjudged by this Court that the judgment of the said United States Circuit Court of Appeals, in this cause, be, and the same is hereby, reversed; and that this cause be, and the same is hereby, remanded to the said Circuit Court of Appeals for such further proceedings as may be necessary in the light of the opinion of this Court.

Per Mr. Justice Murphy.

Mr. Justice Frankfurter and Mr. Justice Jackson concur in part and dissent in part.

Harrison Parker,

Petitioner,

270 vs.

People of the State of Illinois.

On writ of certiorari to the Supreme Court of the State of Illinois.

THIS CAUSE came on to be heard on the transcript of the record from the Supreme Court of the State of Illinois, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is ordered and adjudged by this Court that the judgment of the said Supreme Court, in this cause, be, and the same is hereby, affirmed with costs.

Per Mr. Justice Douglas.

Dissenting opinion by Mr. Justice Rutledge in which Mr. Justice Black and Mr. Justice Murphy join.

Peggy Shade, Full Blood Cherokee Indian, Roll No. 14147,

448 vs.

Lucy Downing, Now Foster, Nancy Downing, Now Taylor, and Polly Downing, Now Williams.

On a certificate from the United States Circuit Court of Appeals for the Tenth Circuit.

THIS CAUSE came on to be heard on a certificate from the United States Circuit Court of Appeals for the Tenth Circuit, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is the opinion of this Court that the question certified must be answered "No." Costs in this Court are to be divided equally.

WHEREUPON, It is now here ordered by this Court that it be so certified to the said United States Circuit Court of Appeals.

Per Mr. Justice Douglas.

Dissenting: Mr. Justice Reed, Mr. Justice Frankfurter, and Mr. Justice Jackson.

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The Chief Justice announced the following order of the Court:

Richard William Marshall, Appellant, vs. State of Louisiana. Appeal from the District Court, First Judicial District, Parish of Caddo, State of Louisiana.

675

THIS CAUSE came on to be heard on the transcript of the record from the District Court, First Judicial District, Parish of Caddo, State of Louisiana, and on motion to dismiss or affirm, which was duly submitted.

ON CONSIDERATION WHEREOF, It is now here ordered by this Court that the motion to dismiss the appeal herein be, and the same is hereby, granted.

IT IS FURTHER ORDERED that the appeal herein be, and the same is hereby, dismissed for the want of a substantial federal question.

Per Mr. Chief Justice Vinson.

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The Chief Justice said:

"The other orders of the Court appear upon the list certified by the Chief Justice and filed with the Clerk and will not be announced orally."

Robert C. Johnson, Petitioner, vs. The United States of America.

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ON CONSIDERATION of the motion of the Solicitor General of the United States to recall and redirect the mandate to the Circuit Court of Appeals,

IT IS ORDERED by this Court that the said motion be, and it is hereby, denied.

Per Mr. Chief Justice Vinson.

Thomas Viola,

Petitioner,

681 vs.

The State of Ohio.

ON CONSIDERATION of the motion of counsel for respondent to extend the time within which to file brief opposing the petition for writ of certiorari in this case,

IT IS ORDERED by this Court that the said motion be, and it is hereby, granted and the time is extended to April 30, 1948.

Per Mr. Chief Justice Vinson.

Alfred S. Penn, Order allowing certiorari.

Petitioner,

600 vs.

Chicago and North Western Railway Company.

The petition herein for a writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit, is granted.

And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

Solomon Michelson, Order allowing certiorari.

Petitioner,

612 vs.

The United States of America.

The petition herein for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit is granted.

And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

Frank Hynes, Regional Director, Fish and Wildlife Service, Department of the Interior,

Petitioner,

613 vs.

Grimes Packing Co., Kadiak Fisheries Company, Libby, McNeill and Libby, et al.

Order allowing certiorari.

The petition herein for a writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit is granted.

And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

Julia Eckenrode, Administratrix of the Estate of John Henry Eckenrode, Deceased,

Petitioner,

628 vs.

Pennsylvania Railroad Company.

Order allowing certiorari.

The petition herein for a writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit is granted.

And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

Commissioner of Internal Revenue,

Petitioner,

650 vs.

Lewis F. Jacobson.

Order allowing certiorari.

The petition herein for a writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit is granted, and the case is transferred to the summary docket.

And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Commissioner of Internal Revenue, Petitioner,

651 vs.

Lewis F. Jacobson.

Order allowing certiorari.

The petition herein for a writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit is granted, and the case is transferred to the summary docket.

And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

Kurt G. W. Ludecke, Petitioner,

147, Misc. vs.

W. Frank Watkins, as District Director of Immigration.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

A petition for rehearing having been submitted in this case,

Upon consideration thereof, it is ordered by this Court that the petition for rehearing be, and it is hereby, granted.

It is further ordered that the order denying certiorari entered January 12, 1948, be, and it is hereby, vacated; and that the petition for writ of certiorari herein be, and it is hereby, granted. The case is transferred to the appellate docket as No. 723.

It is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

Samuel Taylor,
Petitioner,
400, Misc. vs.
State of Alabama.

On petition for writ of certiorari to the Supreme Court of the State of Alabama.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, granted and the case is transferred to the appellate docket as No. 721.

Per Mr. Chief Justice Vinson.

Gaither Lovelady,
Petitioner,
415, Misc. vs.
State of Texas.

On petition for writ of certiorari to the Court of Criminal Appeals of the State of Texas.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, granted limited to the question of the constitution of the grand jury, the second question presented by the petition for the writ. The case is transferred to the appellate docket as No. 722, October Term, 1947.

It is further ordered that execution of the sentence of death imposed on the petitioner be, and it is hereby, stayed pending the final disposition of the case by this Court.

Per Mr. Chief Justice Vinson.

Norris & Hirshberg, Inc.,
Petitioner,
524 vs.
Securities and Exchange Commission.

On petition for writ of certiorari to the United States Court of Appeals for the District of Columbia.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the District of Columbia, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Clyde Burdette Bornhurst, a Minor, by Isabel Bornhurst, His Guardian at Litem,

Petitioner,

574 vs.

The United States of America.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Ninth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Turlock Irrigation District (a Public Corporation) and Modesto Irrigation District (a Public Corporation),

Petitioners,

586 vs.

County of Tuolumne, Board of Supervisors of the County of Tuolumne, et al.

On petition for writ of certiorari to the Supreme Court of the State of California.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of California, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Sociedad Espanola De Auxilio Mutuo Y Beneficencia De Puerto Rico,

Petitioner,

615 vs.

Rafael A. Buscaglia, Treasurer of Puerto Rico, et al.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the First Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the First Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Estate of Martha W. Collins, Deceased, Seward B. Collins and Bank of New York, Executors,

Petitioners,

627 vs.

Commissioner of Internal Revenue.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Second Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

P. J. Mart,

Petitioner,

629 vs.

Percy A. Lainson, as Warden of the Iowa State Penitentiary.

On petition for writ of certiorari to the Supreme Court of the State of Iowa.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of Iowa, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mercantile-Commerce Bank and Trust Co., and John Edwin George, Executors of the Estate of P. D. George, Deceased,

Petitioners,

637 vs.

Commissioner of Internal Revenue.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Eighth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Serge M. Rubinstein, Also Known as Serge Manuel Rubinstein De Rovello,

Petitioner,

647 vs.

The United States of America.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Second Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Allen Gordon Foster,

Petitioner,

648 vs.

The United States of America.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Second Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

The United States of America,

Appellant,

13 vs.

United States Gypsum Company, et al.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Jackson took no part in the consideration or decision of this application.

Carroll Dunscombe,

Petitioner,

552 vs.

A. O. Kanner, as Judge of the Circuit Court for Martin County, State of Florida.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

General Motors Corporation,

Petitioner,

558 vs.

Elmer C. Kesling.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Cleo M. Dickey,

Petitioner,

196, Misc. vs.

The United States of America.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

James C. Birtch and William Arthur Denham,

Petitioners,

255, Misc. vs.

The United States of America.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Arthur R. Eggers,

Petitioner,

351, Misc. vs.

People of the State of California.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied. The order entered February 5, 1948, staying execution of the death sentence is vacated.

Per Mr. Chief Justice Vinson.

Frank Stuart Fowler,

Petitioner,

229, Misc. vs.

Walter A. Hunter, Warden.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Tenth Circuit.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

James J. O'Loughlin, Petitioner, vs. E. V. Parker, Deputy Commissioner, U. S. Employees' Compensation Commission. — On petition for writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit.

326, Misc.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Max E. Howell, Petitioner, vs. Joseph E. Ragen, Warden. — On petition for writ of certiorari to the Criminal Court of Cook County of the State of Illinois.

353, Misc.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Willis J. Ritenour, Petitioner, vs. Joseph E. Ragen, Warden. — On petition for writ of certiorari to the Circuit Court of Winnebago County of the State of Illinois.

354, Misc.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Alva Jones,
Petitioner,
355, Misc. vs.
Joseph E. Ragen, Warden.

On petition for writ of certiorari to the Circuit Court of Will County and the Supreme Court of the State of Illinois.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Morris Butler,
Petitioner,
356, Misc. vs.
Walter Nierstheimer, Warden.

On petition for writ of certiorari to the Supreme Court of the State of Illinois.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Guy Van Tassell,
Petitioner,
368, Misc. vs.
Joseph E. Ragen, Warden.

On petition for writ of certiorari to the Criminal Court of Cook County of the State of Illinois.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Marvin Murray, Petitioner, vs. State of Mississippi.

432, Misc.

On petition for writ of certiorari to the Supreme Court of the State of Mississippi.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

In the Matter of Hans Eichel, Arthur Fuehr, and Dr. Erwin Goss.

415, Misc.

ON CONSIDERATION of the petition to review the death sentences imposed upon petitioners herein,

IT IS ORDERED by this Court that the said petition be, and it is hereby, denied.

Per Mr. Chief Justice Vinson.

Harrison Markwell, Petitioner, vs. Joseph E. Ragen, Warden.

216, Misc.

On petition for writ of certiorari to the Circuit Court of Knox County, State of Illinois.

It appearing to the Court that petitioner has filed a motion to dismiss the petition for writ of certiorari in this case,

Therefore, pursuant to said motion, it is ordered by this Court that the petition for writ of certiorari herein be, and it is hereby, dismissed.

Per Mr. Chief Justice Vinson.

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Proclamation being made the Court is adjourned until Monday, April 19, next, at 12 o'clock.

Pursuant to adjournment the Court met at the Supreme Court Building.

PRESENT:

The Honorable Fred M. Vinson, Chief Justice,
Hugo L. Black,
Stanley Reed,
Felix Frankfurter,
William O. Douglas,
Frank Murphy,
Robert H. Jackson,
Wiley Rutledge,
Harold H. Burton. Associate Justices.

Thomas Ennalls Waggaman, Esquire, Marshal,

Charles Elmore Cropley, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Solicitor General Philip B. Perlman, It is ordered that Everett Milton Johnston, Esquire, of Elizabethton, State of Tennessee; H. Haywood Robbins, Esquire, of Charlotte, State of North Carolina; Guy O. Ferguson, Esquire, of Elizabethton, State of Tennessee; Horace H. Robbins, Esquire, of New York, State of New York; Stewart French, Esquire, of New York, State of New York; Raymond Coward, Esquire, of Cedar Rapids, State of Iowa; O. Howard Wilson, Esquire, of Mountain City, State of Tennessee; William K. Main, Esquire, of Elizabethton, State of Tennessee; and Raymond C. Campbell, Esquire, of Elizabethton, State of Tennessee, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Dwight L. Rogers, It is ordered that Ellsworth K. McIlrath, Esquire, of Jacksonville, State of Florida, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Jesse W. Nicholson, It is ordered that Dorothy Nicholson Bates, of Chevy Chase, State of Maryland, be admitted to practice as an Attorney and Counsellor of this Court, and she was sworn accordingly. (Mrs.)

On motion first made to the Court in this behalf by Mr. Fadjo Cravens, It is ordered that Thaddeus B. Vance, Esquire, of Texarkana, State of Arkansas, and F. B. Clement, Esquire, of Nashville, State of Arkansas, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Noble J. Johnson, It is ordered that Benjamin Francis Small, Esquire, of Indianapolis, State of Indiana, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. James Hardin Peterson, It is ordered that Robert M. Cargell, Esquire, of Saint Petersburg Beach, State of Florida, and Irving M. Mehler, Esquire, of New York, State of New York, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Eugene Mills Meacham, It is ordered that Jess N. Rosenberg, Esquire, of Olympia, State of Washington, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. George C. Vournas, It is ordered that Edwin P. Rome, Esquire, of Philadelphia, Commonwealth of Pennsylvania, and Clinton Budd Palmer, Esquire, of Philadelphia, Commonwealth of Pennsylvania, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Henry P. Ashurst, It is ordered that Vernon B. Croaff, Esquire, of Phoenix, State of Arizona; Thomas Joseph Croaff, Jr., Esquire, of Phoenix, State of Arizona; and Thomas J. Croaff, Esquire, of Phoenix, State of Arizona, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Barrett Quirk, It is ordered that Frank A. Francis, Esquire, of Hartford, State of Connecticut, and Benedict M. Holden, Jr., Esquire, of Hartford, State of Connecticut, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Everett W. Mattoon, It is ordered that Ralph Winfield Scott, Esquire, of Palo Alto, State of California, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. George M. Johnson, It is ordered that Samuel H. Jaffee, Esquire, of Worcester, Commonwealth of Massachusetts, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Chas. C. Wine, It is ordered that Gordon Elmo Young, Esquire, of Pine Bluff, State of Arkansas, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Barham R. Gary, It is ordered that Thomas Massie, Esquire, of Washington, District of Columbia, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Mario A. Costantini, It is ordered that Seymour Carmel, Esquire, of Arlington, Commonwealth of Virginia, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Seymour Sheriff, It is ordered that Maury L. Spanier, Esquire, of New York, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motión first made to the Court in this behalf by Mr. William J. Avrutis, It is ordered that Samuel Robbins, Esquire, of New York, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. John J. McGinty, It is ordered that Anthony H. Forbes, Esquire, of New York, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

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Roy Bute, Petitioner, vs. People of the State of Illinois. 398

On writ of certiorari to the Supreme Court of the State of Illinois.

THIS CAUSE came on to be heard on the transcript of the record from the Supreme Court of the State of Illinois, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is ordered and adjudged by this Court that the judgment of the said Supreme Court, in this cause, be, and the same is hereby, affirmed.

Per Mr. Justice Burton.

Dissenting opinion by Mr. Justice Douglas in which Mr. Justice Black, Mr. Justice Murphy, and Mr. Justice Rutledge concur.

Commonwealth of Massachusetts, et al., Petitioners, vs. The United States of America. 157

On writ of certiorari to the United States Circuit Court of Appeals for the First Circuit.

THIS CAUSE came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the First Circuit, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is ordered and adjudged by this Court that the judgment of the said United States Circuit Court of Appeals, in this cause, be, and the same is hereby, affirmed; and that this cause be, and the same is hereby, remanded to the District Court of the United States for the District of Massachusetts.

Per Mr. Justice Rutledge.

Dissenting opinion by Mr. Justice Jackson in which Mr. Justice Frankfurter, Mr. Justice Douglas, and Mr. Justice Burton join.

The Chief Justice announced the following order of the Court:

Ivan L. Wagner, Petitioner, vs. The United States of America. 153, Misc. — On petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, granted and the case is ordered transferred to the appellate docket as No. 749.

Per Mr. Chief Justice Vinson.

Ivan L. Wagner, Petitioner, vs. The United States of America. 749 — On writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit.

THIS CAUSE came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Fifth Circuit, and was duly submitted.

ON CONSIDERATION WHEREOF, It is ordered and adjudged by this Court that the order of the said United States Circuit Court of Appeals, in this cause, be, and the same is hereby, reversed; and that this cause be, and the same is hereby, remanded to the said Circuit Court of Appeals with directions to reinstate petitioner's appeal and to instruct the District Court to afford petitioner an opportunity to prepare a record on appeal in accordance with Rule 39 of the Rules of Criminal Procedure.

Per Mr. Chief Justice Vinson.

Mr. Justice Black took no part in the consideration or decision of this case.

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The Chief Justice said:

"The other orders of the Court appear upon the list certified by the Chief Justice and filed with the Clerk and will not be announced orally."

Paul Ahrens, et al.,

Petitioners,

446 vs.

Tom C. Clark, Attorney General of the United States.

ON CONSIDERATION of the motion for leave to file supplemental memorandum for the respondent in this case,

IT IS ORDERED by this Court that the said motion be, and it is hereby, denied.

Per Mr. Chief Justice Vinson.

Tony Tudryck and Mary Tudryck, his Wife,

Petitioners,

709 vs.

Joseph Martin, Receiver of the Sterling Bank of Sleeper and Chamberlain, et al.; and

Andrew Smyi and Victoria Smyi, his Wife,

Petitioner,

710 vs.

Joseph Martin, Receiver of the Sterling Bank of Sleeper and Chamberlain, et al.

ON CONSIDERATION of the motion of counsel for the respondents to extend the time within which to file briefs in opposition to the petitions for writs of certiorari in these cases,

IT IS ORDERED by this Court that the said motion be, and it is hereby, granted and the time is extended to and including May 5, 1948.

Per Mr. Chief Justice Vinson.

Kurt G. W. Ludecke,

Petitioner,

723 vs.

W. Frank Watkins, as District Director of Immigration.

Leave is granted petitioner to file in typewritten form, as an appendix to his brief, the material appended to his petition for a writ of certiorari. The petitioner is requested to respond to the letter of the

Solicitor General dated April 9, 1948, relating to a change of circumstances, and both parties are directed to brief and argue the question whether the cause is moot.

The United States of America,

Petitioner,

683 vs.

Women's Sportswear Manufacturers Association, et al.

The statement of jurisdiction in this case having been submitted and considered by the Court, probable jurisdiction is noted.

Per Mr. Chief Justice Vinson.

LaCrosse Telephone Corporation,

Appellant,

701 vs.

Wisconsin Employment Relations Board, et al.; and

International Brotherhood of Electrical Workers, Local B-953, A. F. of L.,

Appellant,

702 vs.

Wisconsin Employment Relations Board, et al.

The statements of jurisdiction in these cases having been submitted and considered by the Court, further consideration of the question of the jurisdiction of this Court is postponed to the hearing of the cases on the merits.

Per Mr. Chief Justice Vinson.

Oklahoma Tax Commission,

Appellant,

703 vs.

The Texas Company.

Appeal from the Supreme Court of the State of Oklahoma.

THIS CAUSE came on to be heard on the transcript of the record from the Supreme Court of the State of Oklahoma, and was duly submitted.

ON CONSIDERATION WHEREOF, It is now here ordered by this Court that the appeal herein be, and the same is hereby, dismissed for the want of jurisdiction.

TREATING the appeal papers herein from the Supreme Court of the State of Oklahoma as an application for a writ of certiorari;

ON CONSIDERATION WHEREOF, it is ordered by this Court that the said application for writ of certiorari be, and it is hereby, granted. The case is consolidated with No. 704 for argument. The Solicitor General is requested to file a brief as amicus curiae.

Per Mr. Chief Justice Vinson.

Oklahoma Tax Commission, Appellant, vs. Magnolia Petroleum Company. 704

Appeal from the Supreme Court of the State of Oklahoma.

THIS CAUSE came on to be heard on the transcript of the record from the Supreme Court of the State of Oklahoma, and was duly submitted.

ON CONSIDERATION WHEREOF, It is now here ordered by this Court that the appeal herein be, and the same is hereby, dismissed for the want of jurisdiction.

TREATING the appeal papers herein from the Supreme Court of the State of Oklahoma as an application for a writ of certiorari;

ON CONSIDERATION WHEREOF, it is ordered by this Court that the said application for writ of certiorari be, and it is hereby, granted. The case is consolidated with No. 703 for argument. The Solicitor General is requested to file a brief as amicus curiae.

Per Mr. Chief Justice Vinson.

The United States of America, Order allowing certiorari.

Petitioner,

577 vs.

Fred Urbeteit, Claimant of 16 Articles of Device More or Less, Labeled "Sinuothermic," etc.

The petition herein for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit is granted, and the case is transferred to the summary docket.

And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

Lelord Kordel, Order allowing certiorari.

Petitioner,

645 vs.

The United States of America.

The petition herein for a writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit is granted. The case is transferred to the summary docket and assigned for argument immediately following No. 577, United States of America vs. Urbeteit.

And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

Robert M. Littlejohn, as War Assets Administrator and Surplus Property Administrator,

Petitioner,

649 vs.

Domestic and Foreign Commerce Corporation.

ON CONSIDERATION of the motion of the Solicitor General to substitute the party petitioner in this case,

IT IS ORDERED by this Court that Jess Larson, War Assets Administrator and Surplus Property Administrator, be, and he is hereby, substituted as the party petitioner in place of Robert M. Littlejohn, resigned, and that

the case be so continued and maintained.

Per Mr. Chief Justice Vinson.

Jess Larson, War Assets Administrator, etc.,

Petitioner,

649 vs.

Domestic and Foreign Commerce Corporation.

ON CONSIDERATION of the motion for leave to withdraw respondent's brief filed March 29, 1948, and to file a substitute brief in this case,

IT IS ORDERED by this Court that the said motion be, and it is hereby, granted.

Per Mr. Chief Justice Vinson.

Jess Larson, as War Assets Administrator and Surplus Property Administrator, Order allowing certiorari.

Petitioner,

649 vs.

Domestic and Foreign Commerce Corporation.

The petition herein for a writ of certiorari to the United States Court of Appeals for the District of Columbia is granted.

And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

Earl M. McDonald and Joseph F. Washington, Order allowing certiorari.

Petitioners,

678 vs.

The United States of America.

The petition herein for a writ of certiorari to the United States Court of Appeals for the District of Columbia is granted. And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

Robert Frazier,
Petitioner,
213, Misc. vs.
The United States of America.

On petition for writ of certiorari to the United States Court of Appeals for the District of Columbia.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, granted and the case is transferred to the appellate docket as No. 750.

Per Mr. Chief Justice Vinson.

Standard Oil Company (New Jersey), Standard Oil Development Company, et al.,
Petitioners,
576 vs.
Tom C. Clark, Attorney General, as Successor to the Alien Property Custodian, etc.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Second Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Tom C. Clark, Attorney General, as Successor to the Alien Property Custodian,
Petitioner,
641 vs.
Standard Oil Company (New Jersey), Standard Oil Development Company, et al.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Second Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Rachael Brown,
Petitioner,
632 vs.
The United States of America and Nellie Brown.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Third Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

The Kansas City Southern Railway Company,
Petitioner,
633 vs.
Otho A. Cook, Commissioner of Revenue of the State of Arkansas.

On petition for writ of certiorari to the Supreme Court of the State of Arkansas.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of Arkansas, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

John Mellon,
Petitioner,
638 vs.
The United States of America.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Second Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Harold E. Edgerton,
Petitioner,
652 vs.
Lawrence C. Kingsland, Commissioner of Patents.

On petition for writ of certiorari to the United States Court of Appeals for the District of Columbia.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the District of Columbia, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Russell Box Company,
Petitioner,
653 vs.
Grant Paper Box Company.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the First Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the First Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

National Nugrape Company,
Petitioner,
654 vs.
James D. Guest, Trading and Doing Business Variously as Tot Beverage Company and Truegrape Company.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Tenth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Tenth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Edward J. Bloom and Helen Bloom, Petitioners, vs. George F. Ryan. — On petition for writ of certiorari to the Supreme Court of the State of Montana.

656

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of Montana, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

The Canister Company, Petitioner, vs. Commissioner of Internal Revenue. — On petition for writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit.

658

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Third Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Bernard G. Brennan Company, Petitioner, vs. The United States of America. — On petition for writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit.

659

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Seventh Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Gerdie M. Herren, Petitioner,

662 vs.

Farm Security Administration, Department of Agriculture, United States of America.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Eighth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Andrew J. McPartland, Inc., Petitioner,

664 vs.

Montgomery Ward & Co., Inc.

On petition for writ of certiorari to the United States Court of Customs & Patent Appeals.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Customs & Patent Appeals, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Lucille Schuckman, Petitioner,

665 vs.

Lawrence J. Rubenstein, Harvey T. Gracely, Maynard E. Montrose, et al.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Sixth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Clay Rice, Mrs. A. B. Parker, Leone Bennett, et al., etc.,

Petitioners,

668 vs.

George Elmore, on Behalf of Himself and Others Similarly Situated.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Fourth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Nathan Gollin and Benjamin Richman,

Petitioners,

669 vs.

The United States of America.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Third Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Gahagan Construction Corporation,

Petitioner,

673 vs.

Philip Armao.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the First Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the First Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Cecil B. DeMille,

Petitioner,

679 vs.

American Federation of Radio Artists, Los Angeles Local, etc., et al.

On petition for writ of certiorari to the Supreme Court of the State of California.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of California, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

The United States of America, ex rel. Frederick Heinrich Weddeke,

Petitioner,

657 vs.

W. Frank Watkins, as District Director of Immigration and Naturalization.

ON CONSIDERATION of the motion to dispense with the printing of the record in this case,

IT IS ORDERED by this Court that the said motion be, and it is hereby, granted.

Per Mr. Chief Justice Vinson.

The United States of America, ex rel. Frederick Heinrich Weddeke,

Petitioner,

657 vs.

W. Frank Watkins, as District Director of Immigration and Naturalization.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Second Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Theodore Martin Sunal,

Petitioner,

535 O.T. '46 vs.

David R. Large, Superintendent, Federal Prison Camp, Mill Point, West Virginia.

ON CONSIDERATION of the motion for leave to file a second petition for rehearing and to recall the mandate in this case,

IT IS ORDERED by this Court that the said motion be, and it is hereby, denied.

Per Mr. Chief Justice Vinson.

Marriner S. Eccles, Ronald Ransom, M. S. Szymczak, et al.,

Petitioners,

101 vs.

Peoples Bank of Lakewood Village, California.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Justice Black.

The Chief Justice and Mr. Justice Douglas took no part in the consideration or decision of this application.

Mary Bell King,

Petitioner,

171 vs.

The Order of United Commercial Travelers of America.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mrs. Aba Badger Suttle, Widow of John G. Suttle, etc.,

Petitioner,

214 vs.

Reich Bros. Construction Co., et al.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Harry R. Randall,

Petitioner,

509 vs.

The United States of America.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Jack Principale,

Petitioner,

554 vs.

General Public Utilities Corporation, as Successor to Associated Gas and Electric Company, et al.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Daniel King, Robert Goldsmith, Albert Dallas, et al.,

Appellants,

630 vs.

H. Sam Priest, Thomas H. Cobbs, Francis L. George, et al., etc.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Ivan L. Wagner,

Petitioner,

9, Misc. vs.

Walter A. Hunter, Warden.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Bernard C. McGuire, et al.,

Petitioners,

164, Misc. vs.

The United States of America.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Benjamin Kaufman,

Petitioner,

249, Misc. vs.

The United States of America.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Myra Tanner Weiss,

Petitioner,

180, Misc. vs.

Los Angeles Broadcasting Co., et al.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Black, Mr. Justice Murphy, and Mr. Justice Rutledge are of the opinion that certiorari should be granted.

Gene McCann,

Petitioner,

266, Misc. vs.

Tom C. Clark, Attorney General, et al.

ON CONSIDERATION of the motion for leave to file a petition for writ of certiorari herein,

IT IS ORDERED by this Court that the said motion be, and it is hereby, denied.

Per Mr. Chief Justice Vinson.

Gene McCann, Petitioner, vs. M. J. Pescor, Warden. — On petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit.

272, Misc.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Gene McCann, Petitioner, vs. M. J. Pescor, Warden. — On petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit.

273, Misc.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Allen Eason, Petitioner, vs. A. C. Turner, Warden, etc. — On petition for writ of certiorari to the Court of Criminal Appeals of Austin, Texas.

376, Misc.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Guy Prather,

Petitioner,

378, Misc. vs.

Walter Nierstheimer, Warden.

On petition for writ of certiorari to the Circuit Court of Madison and Randolph Counties, State of Illinois.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

William Reed,

Petitioner,

389, Misc. vs.

Joseph E. Ragen, Warden.

On petition for writ of certiorari to the Circuit Court of Will County of the State of Illinois.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

William Reed,

Petitioner,

393, Misc. vs.

Joseph E. Ragen, Warden.

On petition for writ of certiorari to the Supreme Court of the State of Illinois.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Robert Wheeler, Petitioner, vs. Joseph E. Ragen, Warden. — On petition for writ of certiorari to the Circuit Court of Will County of the State of Illinois.

597, Misc.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Leroy Williams, Petitioner, vs. Joseph E. Ragen, Warden. — On petition for writ of certiorari to the Circuit Court of Will County of the State of Illinois.

402, Misc.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Harris Bailey, Petitioner, vs. Walter Nierstheimer, Warden. — On petition for writ of certiorari to the Supreme Court of the State of Illinois.

405, Misc.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

John Brill,

Petitioner,

396, Misc. vs.

Joseph E. Ragen, Warden.

On petition for writ of certiorari to the Supreme Court of the State of Illinois.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

John Brill,

Petitioner,

396, Misc. vs.

Joseph E. Ragen, Warden.

ON CONSIDERATION of the motion for leave to file a petition for writ of habeas corpus herein,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Ex parte Charles Montgomery,

Petitioner.

343, Misc.

ON CONSIDERATION of the motion for leave to file a petition for writ of habeas corpus herein,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Margarito Orono,

Petitioner,

349, Misc. vs.

People of the State of California.

ON CONSIDERATION of the motion for leave to file a petition for writ of habeas corpus herein,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Leonard Barnett,

Petitioner,

360, Misc. vs.

Dr. Leroy Wright, Maryland House of Correction.

ON CONSIDERATION of the motion for leave to file a petition for writ of habeas corpus herein,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Thomas Reed,

Petitioner,

382, Misc. vs.

Walter Nierstheimer, Warden.

ON CONSIDERATION of the motion for leave to file a petition for writ of habeas corpus herein,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Edward S. Fortuno,

Petitioner,

392, Misc. vs.

Louis P. Verdel, Manager.

ON CONSIDERATION of the motion for leave to file a petition for writ of habeas corpus herein,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Raymond Paul Hile,

Petitioner,

394, Misc. vs.

Dr. Winfred Overholser.

ON CONSIDERATION of the motion for leave to file a petition for writ of habeas corpus herein,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mary Ruthven,

Petitioner,

398, Misc. vs.

Dr. Winfred Overholser, Superintendent.

ON CONSIDERATION of the motion for leave to file a petition for writ of habeas corpus herein,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Edward J. Kruse,

Petitioner,

369, Misc. vs.

Supreme Court of Illinois.

ON CONSIDERATION of the motion for leave to file a petition for writ of mandamus herein,

IT IS ORDERED by this Court that the said motion be, and it is hereby, denied.

Per Mr. Chief Justice Vinson.

Sam Miner,

Petitioner,

372, Misc. vs.

Supreme Court of Illinois.

ON CONSIDERATION of the motion for leave to file a petition for writ of mandamus herein,

IT IS ORDERED by this Court that the said motion be, and it is hereby, denied.

Per Mr. Chief Justice Vinson.

Damon A. Reavis,

Petitioner,

399, Misc. vs.

The Congress of the United States.

ON CONSIDERATION of the motion for leave to file a petition for writ of mandamus herein,

IT IS ORDERED by this Court that the said motion be, and it is hereby, denied.

Per Mr. Chief Justice Vinson.

Ex parte Charles Kasper,

Petitioner.

339, Misc.

ON CONSIDERATION of the application submitted herein by Charles Kasper,

IT IS ORDERED by this Court that the said application be, and it is hereby, denied.

Per Mr. Chief Justice Vinson.

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Emil Lustig, Alias Dr. Edward E. Fisher,

Petitioner,

1389 O.T. '46 vs.

The United States of America.

Argued by Mr. Edward Halle for the petitioner, and by Mr. Solicitor General Perlman for the respondent.

The United States of America,

Petitioner,

432 vs.

Tillie Zazove.

Argued by Mr. Oscar H. Davis for the petitioner and by Mr. Edward H. S. Martin for the respondent.

The United States of America,

Petitioner,

527 vs.

United States District Court for the Southern District of New York, et al.

Argument commenced by Mr. Leonard J. Emmerglick for the petitioner.

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Proclamation being made the Court is adjourned until tomorrow at 12 o'clock.

Pursuant to adjournment the Court met at the Supreme Court Building.

PRESENT:

The Honorable Fred M. Vinson, Chief Justice,
Hugo L. Black,
Stanley Reed,
Felix Frankfurter,
William O. Douglas,
Frank Murphy,
Robert H. Jackson,
Wiley Rutledge,
Harold H. Burton,
Associate Justices.

Thomas Ennalls Waggaman, Esquire, Marshal,

Charles Elmore Cropley, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Patrick A. McCarran, It is ordered that Clark J. Guild, Esquire, of Carson City, State of Nevada, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Leonard J. Emmerglick, It is ordered that Ephraim Jacobs, Esquire, of Washington, District of Columbia, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. John F. Donelan, It is ordered that Frank F. Fowle, Jr., Esquire, of Chicago, State of Illinois, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. William L. Marbury, It is ordered that Otto Atchley, Esquire, of Texarkana, State of Texas, and Robert S. Vance, Esquire, of Texarkana, State of Texas, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Miss Bessie Margolin, It is ordered that Sidney S. Berman, Esquire, of New York, State of New York, and Irving M. Herman, Esquire, of New York, State of New York, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Paul J. Sedgwick, It is ordered that George K. Shamgochian, Esquire, of Worcester, Commonwealth of Massachusetts, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

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The United States of America,

Petitioner,

527 vs.

United States District Court for the Southern District of New York, et al.

Argument continued by Mr. William Watson Smith for the respondents and concluded by Mr. Leonard J. Emmerglick for the petitioner.

Harris Kennedy, et al.,

Petitioners,

590 vs.

Silas Mason Company.

Argued by Mr. Leonard Lloyd Lockard for the petitioners and by Mr. William L. Marbury and Mr. Charles D. Egan for the respondent.

William Jerome Phyle,

Petitioner,

655 vs.

Clinton T. Duffy, Warden of the State Prison at San Quentin, State of California.

Argument commenced by Mr. Morris Lavine for the petitioner.

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Proclamation being made the Court is adjourned until tomorrow at 12 o'clock.

Pursuant to adjournment the Court met at the Supreme Court Building.

PRESENT:

The Honorable Fred M. Vinson, Chief Justice,
Hugo L. Black,
Stanley Reed,
Felix Frankfurter,
William O. Douglas,
Frank Murphy,
Robert H. Jackson,
Wiley Rutledge,
Harold H. Burton. Associate Justices.

Thomas Ennalls Waggaman, Esquire, Marshal,

Charles Elmore Cropley, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Homer Ferguson, It is ordered that Roderick MacDonald, Esquire, of Highland Park, State of Michigan, and David L. Golden, Esquire, of Highland Park, State of Michigan, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Francis A. McGurk, It is ordered that John J. O'Neil, Esquire, of Pelham Manor, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. C. B. Garnett, It is ordered that William Dunbar Medley, Esquire, of Arlington, Commonwealth of Virginia, and Griffin T. Garnett, Jr., Esquire, of Arlington, Commonwealth of Virginia, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Herman C. Biegel, It is ordered that David H. Schantz, Esquire, of Haddonfield, State of New Jersey, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Frank Flournoy Roberson, It is ordered that John P. Curran, Esquire, of Enid, State of Oklahoma, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Charles D. Hamel, It is ordered that Stuart Mackenzie, Esquire, of Miami, State of Florida, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Alexander M. Heron, It is ordered that Edward L. Conroy, Esquire, of Los Angeles, State of California, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Clair L. Stout, It is ordered that Donald C. Bennion, Esquire, of Oakland, State of California, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Edward M. Reidy, It is ordered that Edward V. Ryan, Esquire, of Jersey City, State of New Jersey, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. J. Carter Fort, Jr., It is ordered that Chas. P. Reynolds, Esquire, of Washington, District of Columbia, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

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William Jerome Phyle,

Petitioner,

655 vs.

Clinton T. Duffy, Warden of the State Prison at San Quentin, State of California.

Argument continued by Mr. Clarence A. Linn for the respondent and concluded by Mr. Morris Lavine for the petitioner. Leave granted the parties to file supplemental memorandums.

Earle W. Hilton,

Petitioner,

560 vs.

John L. Sullivan, Secretary of the Navy, Frances Perkins, et al., Members of the Civil Service Commission.

Argued by Mr. Charles Fahy for the petitioner and by Mr. Paul A. Sweeney for the respondents.

Torao Takahashi,

Petitioner,

533 vs.

Fish and Game Commission, Lee F. Payne, as Chairman Thereof, et al.

Argument commenced by Mr. Dean Acheson for the petitioner and continued by Mr. A. L. Wirin for the petitioner and by Mr. Ralph Winfield Scott for the respondents.

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Proclamation being made the Court is adjourned until tomorrow at 12 o'clock.

Pursuant to adjournment the Court met at the Supreme Court Building.

PRESENT:

The Honorable Fred M. Vinson, Chief Justice,
Hugo L. Black,
Stanley Reed,
Felix Frankfurter,
William O. Douglas,
Frank Murphy,
Robert H. Jackson,
Wiley Rutledge,
Harold H. Burton. Associate Justices.

Thomas Ennalls Waggaman, Esquire, Marshal,

Charles Elmore Cropley, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mrs. Carolyn Royall Just, It is ordered that Mary Hazel Crawford, of Chicago, State of Illinois, be admitted to practice as an Attorney and Counsellor of this Court, and she was sworn accordingly. (Miss)

On motion first made to the Court in this behalf by Mr. Frank X. Brown, It is ordered that Thomas F. Barry, Esquire, of New York, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Loren K. Olson, It is ordered that James H. Larson, Esquire, of Shawano, State of Wisconsin, and Edward A. Laubenstein, Esquire, of Hartford, State of Wisconsin, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

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Torao Takahashi,

Petitioner,

533 vs.

Fish and Game Commission, Lee F. Payne, as Chairman Thereof, et al.

Argument continued by Mr. Ralph Winfield Scott for the respondents, and concluded by Mr. Dean Acheson for the petitioner. Leave granted respondents to file response to amici curiae briefs.

Walter A. Hunter, Warden, United States Penitentiary, Leavenworth, Kansas,

Petitioner,

643 vs.

Fred Clifford Martin.

Argued by Mr. W. Marvin Smith for the petitioner, and by Mr. James F. Reilly for the respondent.

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Proclamation being made the Court is adjourned until Monday, April 26, next, at 12 o'clock.

Pursuant to adjournment the Court met at the Supreme Court Building.

PRESENT:

The Honorable Fred M. Vinson, Chief Justice,
Hugo L. Black,
Stanley Reed,
Felix Frankfurter,
William O. Douglas,
Frank Murphy,
Robert H. Jackson,
Wiley Rutledge,
Harold H. Burton,
Associate Justices.

Thomas Ennalls Waggaman, Esquire, Marshal,

Charles Elmore Cropley, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. S. F. Hobbs, It is ordered that George Davis Finley, Esquire, of Birmingham, State of Alabama, and J. Lindsay Almond, Jr., Esquire, of Roanoke, Commonwealth of Virginia, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Joseph P. O'Hara, It is ordered that Charles F. Kelly, Esquire, of Minneapolis, State of Minnesota, and William C. Kelly, Esquire, of Minneapolis, State of Minnesota, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Solicitor General Philip B. Perlman, It is ordered that S. Walter Shine, Esquire, of Chevy Chase, State of Maryland, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Peyton Ford, It is ordered that Drew J. T. O'Keefe, Esquire, of Philadelphia, Commonwealth of Pennsylvania, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Jas C. Davis, It is ordered that J. Forsythe Gordy, Esquire, of Atlanta, State of Georgia, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Max Chopnick, It is ordered that Hyman I. Bucher, Esquire, of New York, State of New York; Lillian B. Garrell, of New York, State of New York; and Louis L. Garrell, Esquire, of New York, State of New York, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly. (Mrs.)

On motion first made to the Court in this behalf by Mr. Abraham R. Miller, It is ordered that Jos. R. Cecchini, Esquire, of Chicago, State of Illinois; Harry O. Rosenberg, Esquire, of Chicago, State of Illinois; Anthony J. Mentone, Esquire, of Chicago, State of Illinois; and Silvio Piacenti, Esquire, of Chicago Heights, State of Illinois, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mrs. Burnita Shelton Matthews, It is ordered that Aline Frymire Stillwell, of Ekron, Commonwealth of Kentucky, be admitted to practice as an Attorney and Counsellor of this Court, and she was sworn accordingly. (Mrs.)

On motion first made to the Court in this behalf by Mr. Theodore Harold Haas, It is ordered that Henry W. Holzman, Esquire, of New York, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Howard Myers, It is ordered that Jay A. Darwin, Esquire, of San Francisco, State of California, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Harvey J. Gunderson, It is ordered that James M. Sogn, Esquire, of Canton, State of South Dakota, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Archibald King, It is ordered that Frank B. Frederick, Esquire, of Boston, Commonwealth of Massachusetts, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. T. Edward O'Connell, It is ordered that George W. Dunn, Jr., Esquire, of Philadelphia, Commonwealth of Pennsylvania, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Warren E. Miller, It is ordered that Dan E. Williams, Esquire, of Atlanta, State of Georgia, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Alfred L. Bennett, It is ordered that Bernard T. Hecht, Esquire, of Chicago, State of Illinois, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. John Richard Starrs, It is ordered that Ralph Wendell McKenney, Esquire, of Detroit, State of Michigan, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Raoul Berger, It is ordered that Hardy K. Maclay, Esquire, of Alexandria, Commonwealth of Virginia, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Bartholomew W. Butler, It is ordered that Howard Hume Mathews, Esquire, of West Hartford, State of Connecticut, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Arnold Raum, It is ordered that Alfred E. Motta, Esquire, of Providence, State of Rhode Island, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

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The United States of America, Appellant,
vs.
Scophony Corporation of America, General Precision Equipment Corporation, et al.

41

Appeal from the District Court of the United States for the Southern District of New York.

THIS CAUSE came on to be heard on the transcript of the record from the District Court of the United States for the Southern District of New York, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is ordered, adjudged, and decreed by this Court that the decree of the said District Court in this cause be, and the same is hereby, reversed; and that this cause be, and the same is hereby, remanded to the District Court for further proceedings in conformity with the opinion of this Court.

Per Mr. Justice Rutledge.

Mr. Justice Jackson concurs in the result.

Opinion by Mr. Justice Frankfurter concurring in the result.

The United States of America, Appellant,
vs.
South Buffalo Railway Company, Bethlehem Steel Company, and Bethlehem Steel Corporation.

198

Appeal from the District Court of the United States for the Western District of New York.

THIS CAUSE came on to be heard on the transcript of the record from the District Court of the United States for the Western District of New York, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is ordered, adjudged, and decreed by this Court that the decree of the said District Court in this cause be, and the same is hereby, affirmed.

Per Mr. Justice Jackson.

Dissenting opinion by Mr. Justice Rutledge in which Mr. Justice Black, Mr. Justice Douglas, and Mr. Justice Murphy join.

Timoteo Mariano Andres,
Petitioner,
431 vs.
The United States of America.

On writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit.

THIS CAUSE came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Ninth Circuit, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is ordered and adjudged by this Court that the judgment of the said United States Circuit Court of Appeals, in this cause, be, and the same is hereby, reversed; and that this cause be, and the same is hereby, remanded to the District Court of the United States for the Territory of Hawaii for a new trial.

Per Mr. Justice Reed.

Concurring opinion by Mr. Justice Frankfurter in which Mr. Justice Burton joins.

Federal Trade Commission,
Petitioner,
23 vs.
The Cement Institute, et al.

On writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit.

THIS CAUSE came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Seventh Circuit, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is ordered and adjudged by this Court that the judgment of the said United States Circuit Court of Appeals, in this cause, be, and the same is hereby, reversed; and that this cause be, and the

same is hereby, remanded to the said Circuit Court of Appeals with directions to enforce the order of the Federal Trade Commission.

Per Mr. Justice Black.

Dissenting opinion by Mr. Justice Burton.

Mr. Justice Douglas and Mr. Justice Jackson took no part in the consideration or decision of this case.

Federal Trade Commission, Petitioner, vs. Aetna Portland Cement Company, et al. On writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit.

24

THIS CAUSE came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Seventh Circuit, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is ordered and adjudged by this Court that the judgment of the said United States Circuit Court of Appeals, in this cause, be, and the same is hereby, reversed; and that this cause be, and the same is hereby, remanded to the said Circuit Court of Appeals with directions to enforce the order of the Federal Trade Commission.

Per Mr. Justice Black.

Dissenting opinion by Mr. Justice Burton.

Mr. Justice Douglas and Mr. Justice Jackson took no part in the consideration or decision of this case.

Federal Trade Commission, Petitioner, vs. Marquette Cement Manufacturing Company. On writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit.

25

THIS CAUSE came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Seventh Circuit, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is ordered and adjudged by this Court that the judgment of the said United States Circuit Court of Appeals, in this

cause, be, and the same is hereby, reversed; and that this cause be, and the same is hereby, remanded to the said Circuit Court of Appeals with directions to enforce the order of the Federal Trade Commission.

Per Mr. Justice Black.

Dissenting opinion by Mr. Justice Burton.

Mr. Justice Douglas and Mr. Justice Jackson took no part in the consideration or decision of this case.

Federal Trade Commission, Petitioner, vs. Calaveras Cement Company, et al. — On writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit.

26

THIS CAUSE came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Seventh Circuit, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is ordered and adjudged by this Court that the judgment of the said United States Circuit Court of Appeals, in this cause, be, and the same is hereby, reversed; and that this cause be, and the same is hereby, remanded to the said Circuit Court of Appeals with directions to enforce the order of the Federal Trade Commission.

Per Mr. Justice Black.

Dissenting opinion by Mr. Justice Burton.

Mr. Justice Douglas and Mr. Justice Jackson took no part in the consideration or decision of this case.

Federal Trade Commission, Petitioner, vs. Huron Portland Cement Company. — On writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit.

27

THIS CAUSE came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Seventh Circuit, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is ordered and adjudged by this Court that the judgment of the said United States Circuit Court of Appeals, in this cause, be, and the same is hereby, reversed; and that this cause be, and the same is hereby, remanded to the said Circuit Court of Appeals with directions to enforce the order of the Federal Trade Commission.

Per Mr. Justice Black.

Dissenting opinion by Mr. Justice Burton.

Mr. Justice Douglas and Mr. Justice Jackson took no part in the consideration or decision of this case.

Federal Trade Commission, Petitioner, vs. Superior Portland Cement, Inc. — On writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit.

28

THIS CAUSE came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Seventh Circuit, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is ordered and adjudged by this Court that the judgment of the said United States Circuit Court of Appeals, in this cause, be, and the same is hereby, reversed; and that this cause be, and the same is hereby, remanded to the said Circuit Court of Appeals with directions to enforce the order of the Federal Trade Commission.

Per Mr. Justice Black.

Dissenting opinion by Mr. Justice Burton.

Mr. Justice Douglas and Mr. Justice Jackson took no part in the consideration or decision of this case.

Federal Trade Commission, Petitioner, vs. Northwestern Portland Cement Company. On writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit.

29

THIS CAUSE came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Seventh Circuit, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is ordered and adjudged by this Court that the judgment of the said United States Circuit Court of Appeals, in this cause, be, and the same is hereby, reversed; and that this cause be, and the same is hereby, remanded to the said Circuit Court of Appeals with directions to enforce the order of the Federal Trade Commission.

Per Mr. Justice Black.

Dissenting opinion by Mr. Justice Burton.

Mr. Justice Douglas and Mr. Justice Jackson took no part in the consideration or decision of this case.

Federal Trade Commission, Petitioner, vs. Riverside Cement Company. On writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit.

30

THIS CAUSE came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Seventh Circuit, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is ordered and adjudged by this Court that the judgment of the said United States Circuit Court of Appeals, in this cause, be, and the same is hereby, reversed; and that this cause be, and the same is hereby, remanded to the said Circuit Court of Appeals with directions to enforce the order of the Federal Trade Commission.

Per Mr. Justice Black.

Dissenting opinion by Mr. Justice Burton.

Mr. Justice Douglas and Mr. Justice Jackson took no part in the consideration or decision of this case.

Federal Trade Commission, Petitioner, vs. Universal Atlas Cement Company. — On writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit.

31

THIS CAUSE came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Seventh Circuit, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is ordered and adjudged by this Court that the judgment of the said United States Circuit Court of Appeals, in this cause, be, and the same is hereby, reversed; and that this cause be, and the same is hereby, remanded to the said Circuit Court of Appeals with directions to enforce the order of the Federal Trade Commission.

Per Mr. Justice Black.

Dissenting opinion by Mr. Justice Burton.

Mr. Justice Douglas and Mr. Justice Jackson took no part in the consideration or decision of this case.

Federal Trade Commission, Petitioner, vs. California Portland Cement Company. — On writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit.

32

THIS CAUSE came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Seventh Circuit, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is ordered and adjudged by this Court that the judgment of the said United States Circuit Court of Appeals, in this cause, be, and the same is hereby, reversed; and that this cause be, and the same is hereby, remanded to the said Circuit Court of Appeals with directions to enforce the order of the Federal Trade Commission.

Per Mr. Justice Black.

Dissenting opinion by Mr. Justice Burton.

Mr. Justice Douglas and Mr. Justice Jackson took no part in the consideration or decision of this case.

Federal Trade Commission, Petitioner, vs. Monolith Portland Cement Company, et al. — On writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit.

33

THIS CAUSE came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Seventh Circuit, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is ordered and adjudged by this Court that the judgment of the said United States Circuit Court of Appeals, in this cause, be, and the same is hereby, reversed; and that this cause be, and the same is hereby, remanded to the said Circuit Court of Appeals with directions to enforce the order of the Federal Trade Commission.

Per Mr. Justice Black.

Dissenting opinion by Mr. Justice Burton.

Mr. Justice Douglas and Mr. Justice Jackson took no part in the consideration or decision of this case.

Federal Trade Commission, Petitioner, vs. Blaine S. Smith, et al. — On writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit.

34

THIS CAUSE came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Seventh Circuit, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is ordered and adjudged by this Court that the judgment of the said United States Circuit Court of Appeals, in this cause, be, and the same is hereby, reversed; and that this cause be, and the same is hereby, remanded to the said Circuit Court of Appeals with directions to enforce the order of the Federal Trade Commission.

Per Mr. Justice Black.

Dissenting opinion by Mr. Justice Burton.

Mr. Justice Douglas and Mr. Justice Jackson took no part in the consideration or decision of this case.

Doris Anderson, Administratrix of the Estate of L. C. Bristow, Deceased,

Petitioner,

620 vs.

The Atchison, Topeka and Santa Fe Railway Company.

On writ of certiorari to the Supreme Court of the State of California.

THIS CAUSE came on to be heard on the transcript of the record from the Supreme Court of the State of California, and was duly submitted.

ON CONSIDERATION WHEREOF, It is ordered and adjudged by this Court that the judgment of the said Supreme Court, in this cause, be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the Supreme Court for proceedings not inconsistent with the opinion of this Court.

Per Mr. Chief Justice Vinson.

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The Chief Justice announced the following order of the Court:

Schenley Distilling Corporation, The Geo. T. Stagg Company, Bernheim Distilling Company, et al.,

Appellants,

719 vs.

Clinton P. Anderson, as Secretary of Agriculture of the United States.

Appeal from the District Court of the United States for the District of Columbia.

THIS CAUSE came on to be heard on the transcript of the record from the District Court of the United States for the District of Columbia, and on motion to dismiss, which was duly submitted.

ON CONSIDERATION WHEREOF, It is ordered by this Court that the motion to dismiss the appeal herein be, and the same is hereby, granted.

IT IS FURTHER ORDERED that the appeal herein be, and it is hereby, dismissed, the parties being in agreement that the cause is moot.

Per Mr. Chief Justice Vinson.

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The Chief Justice said:

"The other orders of the Court appear upon the list certified by the Chief Justice and filed with the Clerk and will not be announced orally."

State of Illinois,

Complainant,

____, Original vs.

State of Wisconsin, et al.

ON CONSIDERATION of the motion of counsel for the State of Illinois for leave to file the bill of complaint herein,

IT IS ORDERED by this Court that the said motion be, and it is hereby denied.

Per Mr. Chief Justice Vinson.

H. C. Jones, Collector of Internal Revenue,

Petitioner,

71 vs.

The Liberty Glass Company.

ON CONSIDERATION of the motion of counsel for respondent to retax the costs in this case,

IT IS ORDERED by this Court that the said motion be, and it is hereby, denied.

Per Mr. Chief Justice Vinson.

Gaither Lovelady,

Petitioner,

722 vs.

State of Texas.

On writ of certiorari to the Court of Criminal Appeals of the State of Texas.

IT APPEARING to the Court that counsel for the petitioner have filed a motion to dismiss the writ of certiorari in this case,

THEREFORE, pursuant to said motion, it is ordered by this Court that the writ of certiorari in this case, be, and it is hereby, dismissed.

Per Mr. Chief Justice Vinson.

Robert V. McRae,

Petitioner,

747 vs.

State of California.

ON CONSIDERATION of the motion of counsel for the petitioner to extend the time within which to serve a copy of the record in this case,

IT IS ORDERED by this Court that the said motion be, and it is hereby, granted and the time is extended to and including May 10, 1948.

Per Mr. Chief Justice Vinson.

Julius A. Wolf, Order allowing certiorari.

Petitioner,

593 vs.

The People of the State of Colorado.

The petition herein for a writ of certiorari to the Supreme Court of the State of Colorado is granted.

And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

Julius A. Wolf, Order allowing certiorari.

Petitioner,

594 vs.

The People of the State of Colorado.

The petition herein for a writ of certiorari to the Supreme Court of the State of Colorado is granted.

And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

The United States of America, Petitioner, vs. Charles Kruszewski. — On petition for writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit.

526

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Seventh Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Erd V. Crowell, Petitioner, vs. Baker Oil Tools, Inc. — On petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit.

603

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Fifth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Erd V. Crowell, Petitioner, vs. Baker Oil Tools, Inc. — On petition for writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit.

670

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Ninth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Algernon Blair, Petitioner, vs. The United States of America, et al. — On petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit.

617

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Fifth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

J. B. Miller, Trustee, Petitioner, vs. The Texas Company. — On petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit.

646

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Fifth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

William F. Wortham, Petitioner, vs. The United States of America. — On petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit.

666

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Fifth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Cargill, Incorporated, Petitioner,

671 vs.

The Board of Trade of the City of Chicago, et al.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Seventh Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Raymond A. Belz, Petitioner,

685 vs.

Board of Trade of the City of Chicago, Harry C. Schaack, Richard Uhlmann, et al.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Seventh Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Beauville Corporation and John M. Murrell and D. H. Redfearn, as Receivers for Beauville Corporation, Petitioners,

677 vs.

Garden Suburbs Golf and Country Club, Inc.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Fifth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Joseph F. Hughes & Company, a Co-Partnership Composed of Joseph F. Hughes and E. A. Hughes,

Petitioner,

684 vs.

A. Raymond Machen, Trustee in Bankruptcy of Cummins Construction Corporation, Bankrupt.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Fourth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

The Great Lakes Towing Company,

Petitioner,

689 vs.

American Steamship Company.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Sixth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Chicago Mines Company,

Petitioner,

691 vs.

Commissioner of Internal Revenue.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Tenth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Tenth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

The London Extension Mining Company as Transferee of Chicago Mines Company,
Petitioner,
692 vs.
Commissioner of Internal Revenue.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Tenth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Tenth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

The London Extension Mining Company,
Petitioner,
693 vs.
Commissioner of Internal Revenue.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Tenth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Tenth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Ambrosia Chocolate Company,
Petitioner,
707 vs.
Ambrosia Cake Bakery, Inc.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Fourth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Gretchen McRae,

Petitioner,

680 vs.

Tighe E. Woods, Housing Expediter.

ON CONSIDERATION of the motion to dispense with the printing of the record in this case,

IT IS ORDERED by this Court that the said motion be, and it is hereby, granted.

Per Mr. Chief Justice Vinson.

Gretchen McRae,

Petitioner,

680 vs.

Tighe E. Woods, Housing Expediter.

On petition for writ of certiorari to the United States Emergency Court of Appeals.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Emergency Court of Appeals, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Joseph P. Petrowski,

Petitioner,

536 vs.

Clifford C. Nutt, Colonel, Air Corps, United States Army, etc.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Harold Gottfried and Pure Rock Mineral Springs Corporation,

Petitioners,

561 vs.

The United States of America; and

Harold Gottfried, Joseph Forman, and William Stanton,

Petitioners,

562 vs.

The United States of America.

A petition for rehearing having been filed in these cases,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

A. F. Reeder,

Appellant,

618 vs.

W. F. Banks and Ernest Morris, County Treasurer of Washita County, Oklahoma.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Western Union Telegraph Company,

Petitioner,

622 vs.

William R. McComb, Administrator of the Wage and Hour Division, United States Department of Labor.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Morgan Easter,

Petitioner,

210, Misc. vs.

People of the State of Illinois.

On petition for writ of certiorari to the Supreme Court of the State of Illinois.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Cecil Carter,

Petitioner,

282, Misc. vs.

People of the State of Illinois.

On petition for writ of certiorari to the Supreme Court of the State of Illinois.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

George Gentile,

Petitioner,

584, Misc. vs.

C. J. Burke, Warden.

On petition for writ of certiorari to the Supreme Court of the Commonwealth of Pennsylvania.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Arthur Wasiakowski,
Petitioner,
388, Misc. vs.
C. J. Burke, Warden.

On petition for writ of certiorari to the Supreme Court of the Commonwealth of Pennsylvania.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Wilfred Hill Castleman,
Petitioner,
381, Misc. vs.
Dr. Winfred Overholser.

ON CONSIDERATION of the motion for leave to file a petition for writ of habeas corpus herein,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Richard E. Sweet,
Petitioner,
404, Misc. vs.
Ralph Howard, Warden.

ON CONSIDERATION of the motion for leave to file a petition for writ of habeas corpus herein,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Ex parte William Ares Febre,

Petitioner.

406, Misc.

ON CONSIDERATION of the motion for leave to file a petition for writ of habeas corpus herein,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

James Barnett,

Petitioner,

391, Misc. vs.

District Court of the United States for the District of Massachusetts.

ON CONSIDERATION of the motion for leave to file a petition for writ of mandamus herein,

IT IS ORDERED by this Court that the said motion be, and it is hereby, denied.

Per Mr. Chief Justice Vinson.

In the Matter of Heinz W. Blume.

407, Misc.

ON CONSIDERATION of the petition submitted by Heinz W. Blume,

IT IS ORDERED by this Court that the said petition be, and it is hereby, denied.

Per Mr. Chief Justice Vinson.

Marvin Murray,

Petitioner,

432, Misc. vs.

The State of Mississippi.

The order of this Court entered March 29, 1948, staying the execution of the death sentence in this case is vacated.

Per Mr. Chief Justice Vinson.

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It is ordered that the call of the docket, except for special assignments, be suspended for the term upon the conclusion of the argument in case No. 723, and that the Court will take a recess from Monday, May 3, until Monday, May 10, next.

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Donald Loftus,

Petitioner,

59 vs.

People of the State of Illinois.

Argued by Mr. Henry H. Fowler for the petitioner, and by Mr. William C. Wines for the respondent.

Francis Joseph Gryger,

Petitioner,

541 vs.

C. J. Burke, Warden, Eastern State Penitentiary, Philadelphia, Pennsylvania.

Argument commenced by Mr. Archibald Cox for the petitioner.

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Proclamation being made the Court is adjourned until tomorrow at 12 o'clock.

Pursuant to adjournment the Court met at the Supreme Court Building.

PRESENT:

The Honorable Fred M. Vinson, Chief Justice,
Hugo L. Black,
Stanley Reed,
Felix Frankfurter,
William O. Douglas,
Frank Murphy,
Robert H. Jackson,
Wiley Rutledge,
Harold H. Burton,
Associate Justices.

Thomas Ennalls Waggaman, Esquire, Marshal,

Charles Elmore Cropley, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. C. Frank Reavis, It is ordered that Nicholas J. Rosiello, Esquire, of Detroit, State of Michigan, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Frederick Bernays Wiener, It is ordered that Kingsley L. Bennett, Esquire, of Providence, State of Rhode Island, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Roger M. Blough, It is ordered that William Foster, Esquire, of Pittsburgh, Commonwealth of Pennsylvania, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Donald Weed, It is ordered that Homer Brooks, Esquire, of Meridian, State of Mississippi, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Harold G. Hernly, It is ordered that William Wallace Knox, Esquire, of Erie, Commonwealth of Pennsylvania, and Robert J. Firman, Esquire, of Erie, Commonwealth of Pennsylvania, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

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Francis Joseph Gryger,

Petitioner,

541 vs.

C. J. Burke, Warden, Eastern State Penitentiary, Philadelphia, Pennsylvania.

Argument continued by Mr. Archibald Cox for the petitioner and concluded by Mr. Franklin E. Barr for the respondent.

Frank Townsend,

Petitioner,

542 vs.

C. J. Burke, Warden, Eastern State Penitentiary, Philadelphia, Pennsylvania.

Argued by Mr. Archibald Cox for the petitioner and by Mr. Franklin E. Barr for the respondent.

Chester Hedgebeth,

Petitioner,

674 vs.

State of North Carolina.

ON CONSIDERATION of the motion of Mr. Ralph Moody that leave be granted Mr. Wilford L. Whitley, Jr., to appear and present oral argument for the petitioner in this case pro hac vice,

IT IS ORDERED by this Court that the said motion be, and it is hereby, granted.

Per Mr. Chief Justice Vinson.

Chester Hedgebeth,

Petitioner,

674 vs.

State of North Carolina.

Argument commenced by Mr. Wilford L. Whitley, Jr., for the petitioner, pro hac vice, by special leave of Court, and continued by Mr. Ralph Moody for the respondent.

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Proclamation being made the Court is adjourned until tomorrow at 12 o'clock.

Pursuant to adjournment the Court met at the Supreme Court Building.

PRESENT:

The Honorable Fred M. Vinson, Chief Justice,
Hugo L. Black,
Stanley Reed,
Felix Frankfurter,
William O. Douglas,
Frank Murphy,
Robert H. Jackson,
Wiley Rutledge,
Harold H. Burton. Associate Justices.

Thomas Ennalls Waggaman, Esquire, Marshal,

Charles Elmore Cropley, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Edward J. Devitt, It is ordered that Thomas Richard Anderson, Esquire, of Minneapolis, State of Minnesota, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Frederick Bernays Wiener, It is ordered that Edward Winsor, Esquire, of Providence, State of Rhode Island, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. William E. Leahy, It is ordered that Harry W. F. Glemser, Esquire, of Washington, District of Columbia; Stephen W. Blore, Esquire, of Washington, District of Columbia; Francis D. Thomas, Esquire, of Washington, District of Columbia; and Leo A. Rosetta, Esquire, of Bethesda, State of Maryland, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Inzer B. Wyatt, It is ordered that Victor Rutter, Esquire, of New York, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. C. Pershing Bell, It is ordered that John Nicholson Dinsmore, Esquire, of Columbus, State of Ohio, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Norman L. Meyers, It is ordered that W. Needham Lambert, Esquire, of San Francisco, State of California, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Louis R. Mehlinger, It is ordered that W. Lawrence Oliver, Esquire, of Des Moines, State of Iowa, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Frank Collis Bowers, It is ordered that Raymond J. McVeigh, Esquire, of New York, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Karl M. Dollak, It is ordered that Frank G. Smith, Esquire, of Clearfield, Commonwealth of Pennsylvania, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Inzer B. Wyatt, It is ordered that Howard T. Milman, Esquire, of New York, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Leonard Raum, It is ordered that Bruce H. Greenfield, Esquire, of Philadelphia, Commonwealth of Pennsylvania, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Frederic J. Bali, It is ordered that Julian S. Egre, Esquire, of De Forest, State of Wisconsin, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Roger M. Blough, It is ordered that Merrill A. Russell, Esquire, of Pittsburgh, Commonwealth of Pennsylvania, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. William Lemke, It is ordered that F. B. McCurdy, Esquire, of Bismarck, State of North Dakota, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Francis Raymond Stark, It is ordered that John H. Waters, Esquire, of New York, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

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Joseph Paterno,

Petitioner,

583 vs.

John A. Lyons, as Commissioner of Correction of the State of New York.

Argued by Mr. William H. Collins for the petitioner, and by Mr. Irving I. Waxman for the respondent.

The United States of America,

Appellant,

544 vs.

National City Lines, Inc., American City Lines, Inc., Pacific City Lines, Inc., et al.

Argued by Mr. Charles H. Weston for the appellant, and by Mr. C. Frank Reavis for the appellees.

The United States of America,

Appellant,

695 vs.

Congress of Industrial Organizations,
Philip Murray, Officer Thereof.

Argument commenced by Mr. Jesse Climenko for the appellant.

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Proclamation being made the Court is adjourned until tomorrow at 12 o'clock.

Pursuant to adjournment the Court met at the Supreme Court Building.

PRESENT:

The Honorable Fred M. Vinson, Chief Justice,
Hugo L. Black,
Stanley Reed,
Felix Frankfurter,
William O. Douglas,
Frank Murphy,
Robert H. Jackson,
Wiley Rutledge,
Harold H. Burton.
Associate Justices.

Thomas Ennalls Waggaman, Esquire, Marshal,

Charles Elmore Cropley, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. John Enrietto, It is ordered that Robert D. Marcus, Esquire, of New York, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Nathan L. Miller, It is ordered that Francis T. Carmody, Esquire, of New York, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Francis E. Walter, It is ordered that Carleton T. Woodring, Esquire, of Easton, Commonwealth of Pennsylvania, and William G. Barthold, Esquire, of Bethlehem, Commonwealth of Pennsylvania, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Harold Leon Winston, It is ordered that Myron C. Baum, Esquire, of New York, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Maurice P. Wolk, It is ordered that Linn J. Firestone, Esquire, of Saint Paul, State of Minnesota, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Charles J. Margiotti, It is ordered that Samuel Goldstein, Esquire, of Pittsburgh, Commonwealth of Pennsylvania, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Samuel H. Horne, It is ordered that David Stock, Esquire, of New York, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Robert G. Seaks, It is ordered that Bernard F. Sykes, Esquire, of Montgomery, State of Alabama, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Francis C. Brooke, It is ordered that Louis A. Chase, Esquire, of Chicago, State of Illinois, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Joseph C. Waddy, It is ordered that Joel D. Blackwell, Esquire, of Washington, District of Columbia, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Edwin D. Dupree, Jr., It is ordered that Adolph M. Edwards, Jr., Esquire, of Pineville, Commonwealth of Kentucky, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

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Oregon Mesabi Corporation,

Petitioner,

736 vs.

Oregon Mesabi Corporation,

Petitioner,

737 vs.

C. D. Johnson Lumber Corporation.

ON CONSIDERATION of the motion of counsel for the respondent to extend the time within which to file opposition to the petition for writs of certiorari in these cases,

IT IS ORDERED by this Court that the said motion be, and it is hereby, granted and the time is extended to and including May 27, 1948.

Per Mr. Chief Justice Vinson.

The United States of America,

Appellant,

695 vs.

Congress of Industrial Organizations, Philip Murray, Officer Thereof.

Argument continued by Mr. Jesse Climenko for the appellant; by Mr. Charles J. Margiotti for the appellees, and concluded by Mr. Lee Pressman for the appellees.

The United States of America,

Appellant,

461 vs.

Columbia Steel Company, Consolidated Steel Corporation, et al.

Four hours allowed for oral argument. Argument commenced by Mr. Solicitor General Perlman for the appellant and continued by Mr. Nathan L. Miller for the appellees, Columbia Steel Company, et al.

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Proclamation being made the Court is adjourned until tomorrow at 12 o'clock.

Pursuant to adjournment the Court met at the Supreme Court Building.

PRESENT:

The Honorable Fred M. Vinson, Chief Justice,
Hugo L. Black,
Stanley Reed,
Felix Frankfurter,
William O. Douglas,
Frank Murphy,
Robert H. Jackson,
Wiley Rutledge,
Harold H. Burton,
Associate Justices.

Thomas Ennalls Waggaman, Esquire, Marshal,

Charles Elmore Cropley, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. William E. Leahy, It is ordered that Louis Flato, Esquire, of New York, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Howard C. Westwood, It is ordered that Abraham Marcus, Esquire, of New York, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Albert F. Arent, It is ordered that Howard Richard Lonergan, Esquire, of New York, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

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The United States of America,

Appellant,

461 vs.

Columbia Steel Company, Consolidated Steel Corporation, et al.

Argument continued by Mr. Nathan L. Miller for the appellees, Columbia Steel Company, et al.; by Mr. Alfred Wright for the appellee, Consolidated Steel Corporation, and concluded by Mr. Solicitor General Perlman for the appellant.

Samuel Taylor,

Petitioner,

721 vs.

State of Alabama.

Argument commenced by Mr. Nesbitt Elmore for the petitioner, and continued by Mr. Thurgood Marshall for the petitioner and by Mr. Bernard F. Sykes for the respondent.

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Proclamation being made the Court is adjourned until Monday, May 3, next, at 12 o'clock.

Pursuant to adjournment the Court met at the Supreme Court Building.

PRESENT:

The Honorable Fred M. Vinson, Chief Justice,
Hugo L. Black,
Stanley Reed,
Felix Frankfurter,
William O. Douglas,
Frank Murphy,
Robert H. Jackson,
Wiley Rutledge,
Harold H. Burton. Associate Justices.

Thomas Ennalls Waggaman, Esquire, Marshal,

Charles Elmore Cropley, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. John F. Sonnett, It is ordered that Florence Perlow Shientag, of New York, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and she was sworn accordingly. (Mrs.)

On motion first made to the Court in this behalf by Mr. Solicitor General Philip B. Perlman, It is ordered that Solomon Tepper, Esquire, of Long Branch, State of New Jersey, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. H. G. Morison, It is ordered that Vernon C. Barker, Esquire, of Mendota, Commonwealth of Virginia, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Clifford P. Case, It is ordered that Anthony J. Favino, Esquire, of Newburgh, State of New York; David Kanon, Esquire, of New York, State of New York; Isadore Shapiro, Esquire, of Newburgh, State of New York; and David Copans, Esquire, of Newburgh, State of New York, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. George A. Koplow, It is ordered that Samuel Rosenstone, Esquire, of Chicago, State of Illinois, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. George E. MacKinnon, It is ordered that Clifford Henry Darrow, Esquire, of Glenwood Springs, State of Colorado, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. William M. Whittington, It is ordered that Walker Wroach, Jr., Esquire, of Meridian, State of Mississippi, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Benito Gaguine, It is ordered that John M. Simms, Esquire, of Washington, District of Columbia, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. John J. Allen, Jr., It is ordered that Ernest J. Livengood, Esquire, of Oakland, State of California, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Jas. C. Davis, It is ordered that Willis M. Everett, Jr., Esquire, of Atlanta, State of Georgia, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Abraham Wernick, It is ordered that Sidney W. Wernick, Esquire, of Portland, State of Maine, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Roy C. Mackley, Jr., It is ordered that Richard Whiting, Esquire, of Boston, Commonwealth of Massachusetts, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. J. P. Wenchel, It is ordered that Monsoud Charles Zanaty, Esquire, of Birmingham, State of Alabama, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Godfrey L. Munter, It is ordered that Joseph A. Madey, Esquire, of Washington, District of Columbia, and Robert S. McDaniel, Esquire, of Northport, State of Alabama, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Gustave Miller, It is ordered that William Hodes, Esquire, of Newark, State of New Jersey, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. John Ford Baecher, It is ordered that Joseph P. Kelly, Jr., Esquire, of San Francisco, State of California, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Harry J. Gerrity, It is ordered that Paul A. Crouch, Esquire, of Scarsdale, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Preston B. Kavanagh, It is ordered that Frank C. Drumm, Esquire, of Santa Ana, State of California, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Samuel M. Maynard, It is ordered that Bernard Dunau, Esquire, of New York, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. David A. Louisell, It is ordered that Katherine M. Staley, of Washington, District of Columbia, be admitted to practice as an Attorney and Counsellor of this Court, and she was sworn accordingly. (Mrs.)

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Albert E. Schwabacher, Albert E. Schwabacher, Jr., James M. Schwabacher, et al.,

Appellants,

vs.

The United States of America, Interstate Commerce Commission, et al.

Appeal from the District Court of the United States for the Eastern District of Virginia.

258

THIS CAUSE came on to be heard on the transcript of the record from the District Court of the United States for the Eastern District of Virginia, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is ordered, adjudged, and decreed by this Court that the decree of the said District Court in this cause be, and the same is hereby, reversed; and that this cause be, and the same is hereby, remanded to the District Court with directions to remand to the Interstate Commerce Commission for further proceedings in conformity with the opinion of this Court.

Per Mr. Justice Jackson.

Dissenting opinion by Mr. Justice Frankfurter in which the Chief Justice and Mr. Justice Burton join.

Mr. Justice Reed took no part in the consideration or decision of this case.

The United States of America, Appellant, vs. L. C. Griffith, H. J. Griffith, Consolidated Theatres, Inc., et al. — Appeal from the District Court of the United States for the Western District of Oklahoma.

64

THIS CAUSE came on to be heard on the transcript of the record from the District Court of the United States for the Western District of Oklahoma, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is ordered, adjudged, and decreed by this Court that the decree of the said District Court in this cause be, and the same is hereby, reversed; and that this cause be, and the same is hereby, remanded to the District Court for further proceedings in conformity with the opinion of this Court.

Per Mr. Justice Douglas.

Mr. Justice Frankfurter dissents, substantially for the reasons set forth in the opinion of the District Court.

Mr. Justice Murphy and Mr. Justice Jackson took no part in the consideration or decision of this case.

Schine Chain Theatres, Inc., et al., Appellants, vs. The United States of America. — Appeal from the District Court of the United States for the Western District of New York.

10

THIS CAUSE came on to be heard on the transcript of the record from the District Court of the United States for the Western District of New York, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is ordered, adjudged, and decreed by this Court that the decree of the said District Court in this cause be, and the same is hereby, affirmed in part and reversed in part; and that this cause be, and the same is hereby, remanded to the District Court for further proceedings in conformity with the opinion of this Court.

Per Mr. Justice Douglas.

Mr. Justice Frankfurter concurs in the result.

Mr. Justice Murphy and Mr. Justice Jackson took no part in the consideration or decision of this case.

The United States of America,
Appellant,
79 vs.
Paramount Pictures, Inc., et al.;

Loew's, Incorporated, Radio-Keith-Orpheum Corporation, et al.,
Appellants,
80 vs.
The United States of America;

Paramount Pictures, Inc., et al.,
Appellants,
81 vs.
The United States of America;

Columbia Pictures Corporation, et al.,
Appellants,
82 vs.
The United States of America;

United Artists Corporation,
Appellant,
83 vs.
The United States of America;

Universal Pictures Company, Inc., et al.,
Appellants,
84 vs.
The United States of America;

American Theatres Association, Inc., et al.,
Appellants,
85 vs.
The United States of America, et al.; and

Appeals from the District Court of the United States for the Southern District of New York.

W. C. Allred, Charles E. Beach, et al.,

Appellants,

86 vs.

The United States of America, et al.

THESE CAUSES came on to be heard on the transcript of the record from the District Court of the United States for the Southern District of New York and were argued by counsel.

ON CONSIDERATION WHEREOF, It is ordered, adjudged, and decreed by this Court that the decree of the said District Court in these causes, be, and it is hereby, affirmed in part and reversed in part; and that these causes be, and they are hereby, remanded to the District Court for further proceedings in conformity with the opinion of this Court.

IT IS FURTHER ORDERED that the orders of the District Court denying appellants in Nos. 85 and 86 leave to intervene be, and they are hereby, affirmed; and that the motions of appellants in Nos. 85 and 86 for leave to intervene in this Court be, and they are hereby, denied.

Per Mr. Justice Douglas.

Opinion by Mr. Justice Frankfurter dissenting in part.

Mr. Justice Jackson took no part in the consideration or decision of these cases.

Republic Natural Gas Company, Appellant, Appeal from the Supreme Court of the State of Oklahoma.

134 vs.

State of Oklahoma, Corporation Commission of the State of Oklahoma and Peerless Oil and Gas Company.

THIS CAUSE came on to be heard on the transcript of the record from the Supreme Court of the State of Oklahoma, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is now here ordered by this Court that the appeal herein be, and the same is hereby, dismissed for the want of a final judgment.

Per Mr. Justice Frankfurter.

Concurring opinion by Mr. Justice Douglas.

Dissenting opinion by Mr. Justice Rutledge in which Mr. Justice Black, Mr. Justice Murphy, and Mr. Justice Burton join.

Federal Trade Commission,
Petitioner,
vs.
464
Morton Salt Company.

On writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit.

THIS CAUSE came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Seventh Circuit, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is ordered and adjudged by this Court that the judgment of the said United States Circuit Court of Apppeals, in this cause, be, and the same is hereby, reversed; and that this cause be, and the same is hereby, remanded to the said Circuit Court of Appeals to be disposed of in conformity with the opinion of this Court.

Per Mr. Justice Black.

Opinion by Mr. Justice Jackson dissenting in part in which Mr. Justice Frankfurter joins.

J. D. Shelley and Ethel Lee Shelley, His Wife,
Petitioners,
vs.
72
Louis Kraemer and Fern W. Kraemer, His Wife.

On writ of certiorari to the Supreme Court of the State of Missouri.

THIS CAUSE came on to be heard on the transcript of the record from the Supreme Court of the State of Missouri, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is ordered and adjudged by this Court that the judgment of the said Supreme Court, in this cause, be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the Supreme Court of Missouri for proceedings not inconsistent with the opinion of this Court.

Per Mr. Chief Justice Vinson.

Mr. Justice Reed, Mr. Justice Jackson, and Mr. Justice Rutledge took no part in the consideration or decision of this case.

Orsel McGhee and Minnie S. McGhee, His Wife,

Petitioners,

87 vs.

Benjamin J. Sipes and Anna C. Sipes, James A. Coon and Addie A. Coon, et al.

On writ of certiorari to the Supreme Court of the State of Michigan.

THIS CAUSE came on to be heard on the transcript of the record from the Supreme Court of the State of Michigan, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is ordered and adjudged by this Court that the judgment of the said Supreme Court, in this cause, be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the Supreme Court of Michigan for proceedings not inconsistent with the opinion of this Court.

Per Mr. Chief Justice Vinson.

Mr. Justice Reed, Mr. Justice Jackson, and Mr. Justice Rutledge took no part in the consideration or decision of this case,

James M. Hurd and Mary I. Hurd,

Petitioners,

290 vs.

Frederic E. Hodge, Lena A. Murray Hodge, Pasquale DeRita, et al.; and

Raphael G. Urciolo, Robert H. Rowe, Isabelle J. Rowe, et al.,

Petitioners,

291 vs.

Frederic E. Hodge, Lena A. Murray Hodge, Pasquale DeRita, et al.

On writs of certiorari to the United States Court of Appeals for the District of Columbia.

THESE CAUSES came on to be heard on the transcript of the record from the United States Court of Appeals for the District of Columbia, and were argued by counsel.

ON CONSIDERATION WHEREOF, It is ordered and adjudged by this Court that the judgment of the said Court of Appeals in these causes, be, and it is hereby, reversed with costs; and that these causes, be, and they are hereby, remanded to the District Court of the United States for the District of Columbia for proceedings in conformity with the opinion of this Court.

Per Mr. Chief Justice Vinson.

Concurring opinion by Mr. Justice Frankfurter.
Mr. Justice Reed, Mr. Justice Jackson, and Mr. Justice Rutledge

The Chief Justice announced the following orders of the Court:

International Brotherhood of Teamsters, Chauffeurs, Warehousemen and Helpers Union, et al., Appellants,

vs.

Denver Milk Producers, Inc., et al.

Appeal from the Supreme Court of the State of Colorado.

397

THIS CAUSE came on to be heard on the transcript of the record from the Supreme Court of the State of Colorado, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is now here ordered by this Court that the appeal herein be, and the same is hereby, dismissed at the cost of appellants without prejudice to the determination in further proceedings of any questions arising under the Federal Constitution.

Per Mr. Chief Justice Vinson.

Dissenting: Mr. Justice Black and Mr. Justice Murphy.

Leo Schmitt, Appellant,

vs.

W. R. Wilder, as Director of the Division of Licensing of the State of South Dakota, et al.

Appeal from the Supreme Court of the State of South Dakota.

733

THIS CAUSE came on to be heard on the transcript of the record from the Supreme Court of the State of South Dakota, and was duly submitted.

ON CONSIDERATION WHEREOF, It is now here ordered by this Court that the appeal herein be, and the same is hereby, dismissed for the want of a substantial federal question.

Per Mr. Chief Justice Vinson.

George D. Finley, Hattie Finley, Alta Finley, and Frances Finley,

Appellants,

741 vs.

City of Tarrant, a Municipal Corporation, et al.

Appeal from the Supreme Court of the State of Alabama.

THIS CAUSE came on to be heard on the transcript of the record from the Supreme Court of the State of Alabama, and on motion to dismiss, which was duly submitted.

ON CONSIDERATION WHEREOF, It is now here ordered by this Court that the motion to dismiss the appeal herein be, and the same is hereby, granted.

IT IS FURTHER ORDERED that the appeal herein be, and the same is hereby, dismissed for the reason that the judgment of the court below is based upon a non-federal ground adequate to support it.

Per Mr. Chief Justice Vinson.

Mr. Justice Black took no part in the consideration or decision of this case.

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The Chief Justice said:

"The other orders of the Court appear upon the list certified by the Chief Justice and filed with the Clerk and will not be announced orally."

The United States of America,

Complainant,

10, Original vs.

The State of Wyoming and The Ohio Oil Company.

ON CONSIDERATION of the statement as to expenses filed by the Special Master in this case April 21, 1948;

IT IS ORDERED by this Court that the expenses of Nat. U. Brown, Special Master, amounting to $442.49, be, and they are hereby, approved and allowed.

Per Mr. Chief Justice Vinson.

Roy Bute,

Petitioner,

398 vs.

People of the State of Illinois.

ON CONSIDERATION of the motion of counsel for the petitioner to extend the time within which to file petition for rehearing in this case,

IT IS ORDERED by this Court that the said motion be, and it is hereby, granted and the time is extended to and including May 24, 1948.

Per Mr. Chief Justice Vinson.

Thoger Gronberg Jungersen,

Petitioner,

467 vs.

Ostby and Barton Company and American Associates, Inc.

ON CONSIDERATION of the motion of Drury W. Cooper for leave to withdraw his appearance as counsel for the petitioner in this case,

IT IS ORDERED by this Court that the said motion be, and it is hereby, granted.

Per Mr. Chief Justice Vinson.

The United States, Order allowing certiorari.

Petitioner,

621 vs.

Kansas City Life Insurance Company.

The petition herein for a writ of certiorari to the Court of Claims is granted. And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

Jack O'Lee Young,

Petitioner,

195, Misc. vs.

Joseph E. Ragen, Warden, Illinois State Penitentiary, Joliet, Illinois.

On petition for writ of certiorari to the Circuit Court of Randolph County, State of Illinois.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, granted and the case is transferred to the appellate docket as No. 782.

Per Mr. Chief Justice Vinson.

Loew's, Inc., Paramount Pictures, Inc. and R K O Radio Pictures, Inc., et al.,

Petitioners,

611 vs.

William Goldman Theatres, Inc.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Third Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

The New York, New Haven and Hartford Railroad Company, etc.,

Petitioners,

642 vs.

Reconstruction Finance Corporation.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Second Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

The United States of America, Petitioner, vs. The Cold Metal Process Company, et al. — On petition for writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit.

663

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Sixth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Warren J. Harang, Petitioner, vs. The United States of America. — On petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit.

682

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Fifth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

G. H. Beavers, Petitioner, vs. Commissioner of Internal Revenue. — On petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit.

688

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Fifth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

In the Matter of James M. Gordon,

Petitioner.

698

On petition for writ of certiorari to the Supreme Court of the State of California.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of California, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Capitol Meats, Inc., Mark Shotkin, Also Known as Morris Shotkin, Louis Gerber and Max Reingold,

Petitioners,

699 vs.

The United States of America.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Second Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Oscar Schatte, Raymond E. Conaway, Andrew M. Anderson, et al.,

Petitioners,

714 vs.

The International Alliance of Theatrical Stage Employees and Moving Picture Operators of the United States and Canada, et al.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Ninth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Ben Samett,

Petitioner,

686 vs.

Reconstruction Finance Corporation.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Tenth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Tenth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Justice Black.

The Chief Justice took no part in the consideration or decision of this application.

Kenneth M. Waite,

Petitioner,

694 vs.

J. Ellis Overlade, Warden, United States Penitentiary, Terre Haute, Indiana.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Seventh Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Murphy and Mr. Justice Rutledge are of the opinion the petition should be granted.

Harrison Parker,

Petitioner,

270 vs.

People of the State of Illinois.

ON CONSIDERATION of the motion for leave to file a petition for rehearing and of the petition for rehearing in this case,

IT IS ORDERED by this Court that the motion for leave to file be, and it is hereby, granted; and that the petition for rehearing be, and it is hereby, denied.

Per Mr. Chief Justice Vinson.

Commissioner of Internal Revenue,

Petitioner,

384 vs.

South Texas Lumber Company.

ON CONSIDERATION of the motion for leave to file a petition for rehearing and of the petition for rehearing in this case,

IT IS ORDERED by this Court that the motion for leave to file be, and it is hereby, granted; and that the petition for rehearing be, and it is hereby, denied.

Per Mr. Chief Justice Vinson.

Sam Lee Garland,

Petitioner,

579 vs.

The United States of America.

ON CONSIDERATION of the motion for leave to file a petition for rehearing and of the petition for rehearing in this case,

IT IS ORDERED by this Court that the motion for leave to file be, and it is hereby, granted; and that the petition for rehearing be, and it is hereby, denied.

Per Mr. Chief Justice Vinson.

The Connecticut Mutual Life Insurance Company, et al.,

Appellants,

337 vs.

Frank C. Moore, Comptroller of the State of New York.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied. The petitions of the States of Connecticut and Vermont for leave to intervene are also denied.

Per Mr. Chief Justice Vinson.

Prince Harrison,
Petitioner,
307, Misc. vs.
People of the State of Illinois.

On petition for writ of certiorari to the Supreme Court of the State of Illinois.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

David D. Mack,
Petitioner,
421, Misc. vs.
Joseph E. Ragen, Warden.

On petition for writ of certiorari to the Criminal Court of Cook County of the State of Illinois.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Johnnie Davis,
Petitioner,
361, Misc. vs.
Walter Nierstheimer, Warden.

ON CONSIDERATION of the motion for leave to file a petition for writ of habeas corpus herein,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Lee Pook,

Petitioner,

469, Misc. vs.

Donald Clemmer, Director of the Department of Corrections, District of Columbia.

ON CONSIDERATION of the motion for leave to file a petition for writ of habeas corpus herein,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

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The order as to sessions entered April 26 is amended to provide that the Court will take a recess from Tuesday, May 4, until Monday, May 10.

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Samuel Taylor,

Petitioner,

721 vs.

State of Alabama.

Argument continued by Mr. Bernard F. Sykes for the respondent, and concluded by Mr. Thurgood Marshall for the petitioner.

Kurt G. W. Ludecke,

Petitioner,

723 vs.

W. Frank Watkins, as District Director of Immigration.

Argument commenced by Mr. Kurt G. W. Ludecke, pro se.

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Proclamation being made the Court is adjourned until tomorrow at 12 o'clock.

TUESDAY, MAY 4, 1948.

Pursuant to adjournment the Court met at the Supreme Court Building.

PRESENT:

The Honorable Fred M. Vinson, Chief Justice,
Hugo L. Black,
Stanley Reed,
Felix Frankfurter,
William O. Douglas,
Frank Murphy,
Robert H. Jackson,
Wiley Rutledge,
Harold H. Burton,
Associate Justices.

Thomas Ennalls Waggaman, Esquire, Marshal,

Charles Elmore Cropley, Clerk.

Proclamation being made the Court is opened.

William Clark,

Petitioner,

470 vs.

The United States.

ON CONSIDERATION of the motion of counsel for the petitioner to extend the time within which to file a petition for rehearing in this case,

IT IS ORDERED by this Court that the said motion be, and it is hereby, granted and the time to file a rehearing is extended to and including September 1, 1948.

Per Mr. Chief Justice Vinson.

Ivan L. Wagner,

Petitioner,

749 vs.

The United States of America.

On application of petitioner, it is ordered that the mandate in this case issue forthwith.

Per Mr. Chief Justice Vinson.

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Kurt G. W. Ludecke,

Petitioner,

723 vs.

W. Frank Watkins, as District Director of Immigration.

Argument continued by Mr. Kurt G. W. Ludecke, pro se; by Mr. Stanley M. Silverberg for the respondent, and concluded by Mr. Kurt G. W. Ludecke, pro se.

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Proclamation being made the Court is adjourned until Monday, May 10, next, at 12 o'clock.

MONDAY, MAY 10, 1943.

Pursuant to adjournment the Court met at the Supreme Court Building.

PRESENT:

The Honorable Fred M. Vinson, Chief Justice,
Hugo L. Black,
Stanley Reed,
Felix Frankfurter,
William O. Douglas,
Frank Murphy,
Robert H. Jackson,
Wiley Rutledge,
Harold H. Burton. Associate Justices.

Thomas Ennalls Waggaman, Esquire, Marshal,

Charles Elmore Cropley, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Solicitor General Philip B. Perlman, It is ordered that Alfred Connor Bowman, Esquire, of Los Angeles, State of California; Edward Wilson Auld, Esquire, of Baltimore, State of Maryland; Thomas J. Lewis, Esquire, of Atlanta, State of Georgia; and Harry Bergson, Esquire, of Boston, Commonwealth of Massachusetts, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Leverett Saltonstall, It is ordered that George B. Rowell, Esquire, of Cambridge, Commonwealth of Massachusetts, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Chauncey W. Reed, It is ordered that Samuel Saxon, Esquire, of Plainfield, State of Illinois, and Raymond J. Harvey, Esquire, of Joliet, State of Illinois, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Clifford P. Case, It is ordered that Harry E. Bernstein, Esquire, of Plainfield, State of New Jersey; Edward Sachar, Esquire, of Plainfield, State of New

Jersey; and Libby E. Bernstein-Sachar, of Plainfield, State of New Jersey, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly. (Mrs.)

On motion first made to the Court in this behalf by Mr. Chauncey W. Reed, It is ordered that Edward Felix Kenehan, Esquire, of Carlinville, State of Illinois, and Robert F. Jones, Esquire, of Lima, State of Ohio, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Elmore Whitehurst, It is ordered that Jacob B. Bagdoian, Esquire, of Lawrence, Commonwealth of Massachusetts, and G. Walter Bowman, Esquire, of Denver, State of Colorado, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Carl G. Stearns, It is ordered that Sweeney J. Doehring, Esquire, of Houston, State of Texas, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. John P. Boyd, Jr., It is ordered that William J. Houston, Esquire, of Dallas, State of Texas, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Herbert Sharfman, It is ordered that Nathan Coleman Shapiro, Esquire, of Philadelphia, Commonwealth of Pennsylvania, and Romanus J. Buckley, Esquire, of Philadelphia, Commonwealth of Pennsylvania, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Marvin J. Coles, It is ordered that Walter B. King, Esquire, of Ketchikan, Territory of Alaska, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Robert E. Kline, Jr., It is ordered that Clement C. Rinehart, Esquire, of New York, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Seymour S. Guthman, It is ordered that Samuel A. Spiegel, Esquire, of New York, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Chester D. Silvers, It is ordered that Charles Wylie, Esquire, of Lexington, Commonwealth of Kentucky, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Lester P. Schoene, It is ordered that Henry P. Schmidt, Esquire, of Union City, State of New Jersey, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. William Paul Shelley, Jr., It is ordered that Charles Francis Coe, Esquire, of Palm Beach, State of Florida, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. George M. Johnson, It is ordered that James Theo. Wright, Esquire, of Washington, District of Columbia, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Lorenzo Lee Bean, Jr., It is ordered that Robert Goodloe Harper, Esquire, of Winchester, Commonwealth of Virginia, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Jesse I. Miller, It is ordered that Richard Marshall Welling, Esquire, of Alexandria, Commonwealth of Virginia, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Daniel L. Boland, It is ordered that John F. Killea, Esquire, of San Antonio, State of Texas, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

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Mandeville Island Farms, Inc., and Roscoe C. Zuckerman,

Petitioners,

75 vs.

American Crystal Sugar Company.

On writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit.

THIS CAUSE came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Ninth Circuit, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is ordered and adjudged by this Court that the judgment of the said United States Circuit Court of Appeals, in this cause, be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the District Court of the United States for the Southern District of California for further proceedings in conformity with the opinion of this Court.

Per Mr. Justice Rutledge.

Dissenting opinion by Mr. Justice Jackson in which Mr. Justice Frankfurter joins.

Tighe E. Woods, Housing Expediter,

437 vs.

W. H. Hills.

On a certificate from the United States Circuit Court of Appeals for the Tenth Circuit.

THIS CAUSE came on to be heard on a certificate from the United States Circuit Court of Appeals for the Tenth Circuit, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is the opinion of this Court that question No. 1 must be answered in the negative. In answer to question No.

2, the Emergency Court of Appeals no longer has jurisdiction pursuant to section 204(e) of the Emergency Price Control Act to determine the validity of the second rent order under consideration in this case.

WHEREUPON, It is now here ordered by this Court that it be so certified to the said United States Circuit Court of Appeals.

Per Mr. Chief Justice Vinson.

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The Chief Justice announced the following orders of the Court:

Trustees of the Monroe Avenue Church of Christ, Individually and Collectively, The Monroe Avenue Church of Christ, et al.,

Petitioners,

153 vs.

Fred C. Perkins, Earl McCullough, Drell Murlette, et al.

Order allowing certiorari.

The petition herein for a writ of certiorari to the Supreme Court of the State of Ohio is granted.

And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

Mr. Justice Reed, Mr. Justice Jackson, and Mr. Justice Rutledge took no part in the consideration or decision of this case.

Trustees of the Monroe Avenue Church of Christ, Individually and Collectively, The Monroe Avenue Church of Christ, et al.,

Petitioners,

153 vs.

Fred C. Perkins, Earl McCullough, Drell Murlette, et al.

On writ of certiorari to the Supreme Court of the State of Ohio.

THIS CAUSE came on to be heard on the transcript of the record from the Supreme Court of the State of Ohio, and was duly submitted.

ON CONSIDERATION WHEREOF, It is ordered and adjudged by this Court that the judgment of the said Supreme Court, in this cause, be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the Supreme Court of Ohio for proceedings not inconsistent with the opinion of this Court in the cases of Shelley v. Kraemer and McGhee v. Sipes, Nos. 72 and 87, October Term, 1947, decided May 3, 1948.

Per Mr. Chief Justice Vinson.

Mr. Justice Reed, Mr. Justice Jackson, and Mr. Justice Rutledge took no part in the consideration or decision of this case.

Tom D. Amer,

Petitioner,

429 vs.

Superior Court of the State of California in and for the County of Los Angeles.

Order allowing certiorari.

The petition herein for a writ of certiorari to the Supreme Court of the State of California is granted.

And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

Mr. Justice Reed, Mr. Justice Jackson, and Mr. Justice Rutledge took no part in the consideration or decision of this case.

Tom D. Amer,

Petitioner,

429 vs.

Superior Court of the State of California in and for the County of Los Angeles.

On writ of certiorari to the Supreme Court of the State of California.

THIS CAUSE came on to be heard on the transcript of the record from the Supreme Court of the State of California, and was duly submitted.

ON CONSIDERATION WHEREOF, It is ordered and adjudged by this Court that the order of the said Supreme Court, denying a petition for writ of prohibition in this cause, be, and the same is hereby, vacated without costs.

IT IS FURTHER ORDERED that this cause be, and the same is hereby, remanded to the Supreme Court of California in order to enable it to reconsider its ruling in the light of Shelley v. Kraemer and McGhee v. Sipes,

Nos. 72 and 87, October Term, 1947, decided May 3, 1948.

Per Mr. Chief Justice Vinson.

Mr. Justice Reed, Mr. Justice Jackson, and Mr. Justice Rutledge took no part in the consideration or decision of this case.

Yin Kim,

Petitioner,

430 vs.

Superior Court of the State of California in and for the County of Los Angeles.

Order allowing certiorari.

The petition herein for a writ of certiorari to the Supreme Court of the State of California is granted.

And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

Mr. Justice Reed, Mr. Justice Jackson, and Mr. Justice Rutledge took no part in the consideration or decision of this case.

Yin Kim,

Petitioner,

430 vs.

Superior Court of the State of California in and for the County of Los Angeles.

On writ of certiorari to the Supreme Court of the State of California.

THIS CAUSE came on to be heard on the transcript of the record from the Supreme Court of the State of California, and was duly submitted.

ON CONSIDERATION WHEREOF, It is ordered and adjudged by this Court that the order of the said Supreme Court, denying a petition for writ of prohibition in this cause, be, and the same is hereby, vacated without costs.

IT IS FURTHER ORDERED that this cause be, and the same is hereby, remanded to the Supreme Court of California in order to enable it to reconsider its ruling in the light of Shelley v. Kraemer and McGhee v. Sipes, Nos. 72 and 87, October Term, 1947, decided May 3, 1948.

Per Mr. Chief Justice Vinson.

Mr. Justice Reed, Mr. Justice Jackson, and Mr. Justice Rutledge took no part in the consideration or decision of this case.

F. S. Gambrell and Jack Gambrell,
Appellants,
vs.
Chalk Hill Theatre Company, Ltd., et al.

Appeal from the Court of Civil Appeals of the State of Texas, 3rd Supreme Judicial District.

700

THIS CAUSE came on to be heard on the transcript of the record from the Court of Civil Appeals of the State of Texas, 3rd Supreme Judicial District, and on motions to dismiss, which were duly submitted.

ON CONSIDERATION WHEREOF, It is now here ordered by this Court that the motions to dismiss the appeal herein, be, and the same are hereby, granted.

AND IT IS FURTHER ORDERED that the appeal herein be, and the same is hereby, dismissed for the reason that the judgment of the court below is based upon a non-federal ground adequate to support it.

Per Mr. Chief Justice Vinson.

Jefferson County Board of Education, William Diemer, Suing as Taxpayer of Jefferson County,
Appellants,
vs.
Joshua B. Everett, Superintendent of the Kentucky Children's Home.

Appeal from the Court of Appeals of the Commonwealth of Kentucky.

745

THIS CAUSE came on to be heard on the transcript of the record from the Court of Appeals of the Commonwealth of Kentucky, and was duly submitted.

ON CONSIDERATION WHEREOF, It is now here ordered by this Court that the appeal herein be, and the same is hereby, dismissed for the want of a substantial federal question.

Per Mr. Chief Justice Vinson.

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The Chief Justice said:

"The other orders of the Court appear upon the list certified by the Chief Justice and filed with the Clerk and will not be announced orally."

Albert E. Schwabacher, et al.,

Appellants,

258 vs.

The United States of America, Interstate Commerce Commission, et al.

It is ordered that the first sentence of the opinion of this Court in this case be amended to read as follows:

"This controversy grows out of the voluntary merger of Chesapeake & Ohio Railway Company and Pere Marquette Railway Company, which companies, together with Alleghany Corporation, sought approval by the Interstate Commerce Commission."

Per Mr. Chief Justice Vinson.

Marcel Rodd,

Petitioner,

591 vs.

The United States of America.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Ninth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

John J. Krieger,

Petitioner,

672 vs.

The State of Louisiana.

On petition for writ of certiorari to the Supreme Court of the State of Louisiana.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of Louisiana, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

State of Nebraska,
Petitioner,
687 vs.
The United States of America, Clara H. McNish, T. C. Spiker, et al., etc.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Eighth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Sobel Corrugated and Wooden Box Company,
Petitioner,
708 vs.
Philip B. Fleming, Administrator, Office of Temporary Controls.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Sixth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Roy C. Tinsley,
Petitioner,
715 vs.
The State of Texas.

On petition for writ of certiorari to the Court of Criminal Appeals of the State of Texas.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Court of Criminal Appeals of the State of Texas, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

North Pier Terminal Co., Petitioner, vs. Interstate Commerce Commission.

728 On petition for writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Seventh Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Anthony T. Augelli, Trustee in Bankruptcy of John Nizolek Furniture Co., Inc., Bankrupt, et al., Petitioners, vs. Ohio Finance Corporation.

739 On petition for writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Third Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Anthony T. Augelli, Trustee in Bankruptcy of Nizolek Furniture & Carpet Company, Inc., Bankrupt, et al., Petitioners, vs. Ohio Finance Corporation.

740 On petition for writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Third Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

The Franklin Life Insurance Company,
Petitioner,
759 vs.
R. A. Stuart, Jr., and Trinity Bond Investment Corporation.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Fifth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Thomas Viola,
Petitioner,
681 vs.
The State of Ohio.

ON CONSIDERATION of the motion to dispense with the printing of the record in this case,

IT IS ORDERED by this Court that the said motion be, and it is hereby, granted.

Per Mr. Chief Justice Vinson.

Thomas Viola,
Petitioner,
681 vs.
The State of Ohio.

On petition for writ of certiorari to the Supreme Court of the State of Ohio.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of Ohio, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Robert E. Dineen, Superintendent of
Insurance of the State of New York, etc.,

Petitioner,

518 vs.

The United States.

ON CONSIDERATION of the motion for leave to file a petition for rehearing and of the petition for rehearing in this case,

IT IS ORDERED by this Court that the motion for leave to file be, and it is hereby, granted; and that the petition for rehearing be, and it is hereby, denied.

Per Mr. Chief Justice Vinson.

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ORDER

The Court will take a recess from today until Monday, May 17, from that day until Monday, May 24, and from that day until Tuesday, June 1, upon which day it will adjourn for the term unless otherwise ordered.

No motions, except motions for admission to practice, will be received after the session next before the date fixed for adjournment of the term.

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Proclamation being made the Court is adjourned until Monday, May 17, next, at 12 o'clock.

Pursuant to adjourrment the Court met at the Supreme Court Building.

PRESENT:

The Honorable Fred M. Vinson, Chief Justice,
Hugo L. Black,
Stanley Reed,
Felix Frankfurter,
William O. Douglas,
Robert H. Jackson,
Wiley Rutledge,
Harold H. Burton. Associate Justices.

Thomas Ennalls Waggaman, Esquire, Marshal,

Charles Elmore Cropley, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Solicitor General Philip B. Perlman, It is ordered that Morton Hollander, Esquire, of Brooklyn, State of New York; Angelo Joseph Maggio, Esquire, of Washington, District of Columbia; William T. Foley, Jr., Esquire, of New York, State of New York; Andrew J. Eyman, Esquire, of San Francisco, State of California; and Edmund G. Brown, Esquire, of San Francisco, State of California, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Homer Ferguson, It is ordered that Thomas P. Dickinson, Esquire, of Detroit, State of Michigan; Tilden M. Gallagher, Esquire, of Detroit, State of Michigan; Henry M. Rottman, Esquire, of Detroit, State of Michigan; and Madeline C. Dinu, of Detroit, State of Michigan, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

(Mrs.)

On motion first made to the Court in this behalf by Mr. B. Nelson Deranian, It is ordered that William E. Jenner, Esquire, of Bedford, State of Indiana, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. John W. Bricker, It is ordered that John A. Bekler, Esquire, of Columbus, State of Ohio, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Wm. W. Blackney, It is ordered that Donald W. Cameron, Esquire, of Flint, State of Michigan, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. A. Sidney Camp, It is ordered that James B. White, Esquire, of Cartersville, State of Georgia, and W. C. Henson, Esquire, of Cartersville, State of Georgia, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Frederick Bernays Wiener, It is ordered that Thomas M. Green, Esquire, of Winthrop, Commonwealth of Massachusetts, and Hubert D. Hoover, Esquire, of Washington, District of Columbia, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. J. Louis Monarch, It is ordered that H. Elmo Robinson, Esquire, of West Palm Beach, State of Florida, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Miss Loretta I. Martone, It is ordered that Leonard Petkoff, Esquire, of New York, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Logan Morris, It is ordered that R. Beavan Woodward, Jr., Esquire, of New York, State of New York; Morris Galitzer, Esquire, of Brooklyn, State of New York; and Martin A. Roeder, Esquire, of New York, State of New York, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. M. S. Isenbergh, It is ordered that Nathaniel M. Goodrich, Esquire, of New York, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Henry W. Longfellow, It is ordered that Edward G. Ogle, Esquire, of Washington, District of Columbia, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Herbert B. Cohn, It is ordered that Daniel M. Friedman, Esquire, of New York, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Carl McFarland, It is ordered that William J. Jameson, Esquire, of Billings, State of Montana, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. William H. Parsons, It is ordered that William W. Gibson, Esquire, of Minneapolis, State of Minnesota, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Joseph A. Roney, It is ordered that Lucien J. Bessette, Esquire, of Chicago, State of Illinois; Ewart O. Ostberg, Esquire, of Chicago, State of Illinois; Thomas Garth McBride, Esquire, of Chicago, State of Illinois; and Richard Lefebure, Esquire, of Chicago, State of Illinois, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Joseph Lawrence, It is ordered that Thomas F. Nolan, Jr., Esquire, of New York, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Harry L. Shniderman, It is ordered that Howard P. Castle, Esquire, of Washington, District of Columbia, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Arvin B. Shaw, Jr., It is ordered that Gilbert F. Nelson, Esquire, of Beverly Hills, State of California, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Frank Roberson, It is ordered that Russell Rowell, Esquire, of Washington, District of Columbia, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Paul A. Walker, It is ordered that Claude Monnet, Esquire, of Oklahoma City, State of Oklahoma, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Charles Sylvanus Rhyne, It is ordered that T. Julian Skinner, Jr., Esquire, of Jasper, State of Alabama, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

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Harris Kennedy, et al., Petitioners, vs. Silas Mason Company. 590

On writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit.

THIS CAUSE came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Fifth Circuit, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is ordered and adjudged by this Court that the judgment of the Circuit Court of Appeals and the judgment of the District Court in this cause, be, and the same are hereby, vacated without costs to either party in this Court.

IT IS FURTHER ORDERED that this cause be, and the same is hereby, remanded to the District Court of the United States for the Western District of Louisiana for reconsideration and amplification of the record in the light of the opinion of this Court and of present contentions.

Per Mr. Justice Jackson.

Mr. Justice Black thinks the judgment should be reversed.

Mr. Justice Douglas concurs in the result.

The Chief Justice announced the following orders of the Court:

Harrison Parker,	Petitioner,	On writ of certiorari to the Supreme Court of the State of Illinois.
428	vs.	
People of the State of Illinois.		

THIS CAUSE came on to be heard on the transcript of the record from the Supreme Court of the State of Illinois, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is ordered and adjudged by this Court that the judgment of the said Supreme Court, in this cause, be, and the same is hereby, affirmed with costs by an equally divided Court.

Per Mr. Chief Justice Vinson.

Mr. Justice Jackson is of the opinion that the writ of certiorari should be dismissed and did not participate in the question as to the disposition of the case on the merits.

Elsa S. Burrows, Joined by Her Husband, Waters F. Burrows,

Appellants,

vs.

Charlie Hagerman, as Tax Collector of Sarasota County, Florida, et al.

Appeal from the Supreme Court of the State of Florida.

705

THIS CAUSE came on to be heard on the transcript of the record from the Supreme Court of the State of Florida, and on motion to dismiss or affirm which was duly submitted.

ON CONSIDERATION WHEREOF, It is now here ordered by this Court that the motion to dismiss the appeal herein be, and the same is hereby, granted.

IT IS FURTHER ORDERED that the appeal herein be, and the same is hereby, dismissed for the want of a substantial federal question.

Per Mr. Chief Justice Vinson.

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The Chief Justice said:

"The other orders of the Court appear upon the list certified by the Chief Justice and filed with the Clerk and will not be announced orally."

ORDER

It is ordered that paragraph 3 of Rule 38 of the Rules of this Court be amended to read as follows:

"3. Notice of the filing of the petition, together with a copy of the petition, printed record, and supporting brief shall be served by the petitioner on counsel for the respondent within ten days after the filing (unless enlarged by the court or a justice thereof), and due proof of service shall be filed with the clerk. If the United States, or an officer or agency thereof, is respondent, the service of the petition, record, and brief shall be made on the Solicitor General at Washington, D. C. Counsel for the respondent shall have thirty days (unless enlarged by the court or a justice thereof), after notice, within which to file forty printed copies of an opposing brief, conforming to Rules 26 and 27. The brief must bear the name of a member of the bar of this court at the time of filing."

It is ordered that paragraph 2 of Rule 41 of the Rules of this Court be amended to read as follows:

"2. Within thirty days after the petition, brief, and record are served (unless enlarged by the court or a justice thereof) the respondent may file with the clerk forty printed copies of an opposing brief, conforming to Rules 26 and 27. Upon the expiration of that period, or upon an express waiver of the right to file or the actual filing of such brief in a shorter time, the petition, briefs, and record shall be distributed by the clerk to the court for its consideration. (See Rule 38, par. 4 (a).)"

In the Matter of William Lowe Hillyer.
No. ____.

ON CONSIDERATION of the motion of William Lowe Hillyer, of Washington, D. C., that he be permitted to resign as a member of the bar of this Court,

IT IS ORDERED that the said motion, be, and it is hereby, granted and it is ordered that his name be stricken from the roll of attorneys admitted to practice in this Court.

Per Mr. Chief Justice Vinson.

Jack O'Lee Young,

Petitioner,

782 vs.

Joseph E. Ragen, Warden, Illinois State Penitentiary, Joliet, Illinois.

It is ordered that Edward H. Levi of Chicago, Illinois, a member of the bar of this Court, be, and he is hereby, appointed to serve as counsel for the petitioner in this case.

Per Mr. Chief Justice Vinson.

August Klapprott, Petitioner,

732 vs.

The United States of America.

Order allowing certiorari.

The petition herein for a writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit is granted.

And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

Carl F. De Lano, Petitioner,

623 vs.

State of Michigan.

On petition for writ of certiorari to the Supreme Court of the State of Michigan.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of Michigan, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

A. Phillip Randolph, et al., Individually, and as International President, and First International Vice-President of the Brotherhood of Sleeping Car Porters, et al., Petitioners,

661 vs.

Missouri-Kansas-Texas Railroad Company, et al.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Eighth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Missouri-Kansas-Texas Railroad Company, et al.,
Petitioners,
711 vs.
A. Phillip Randolph, et al.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Eighth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Benjamin Guinness,
Petitioner,
696 vs.
The United States.

On petition for writ of certiorari to The Court of Claims.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Court of Claims and of the argument of counsel thereupon had, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Tony Tudryck and Mary Tudryck, His Wife,
Petitioners,
709 vs.
Joseph Martin, Receiver of the Sterling Bank of Sleeper and Chamberlain, et al.

On petition for writ of certiorari to the Supreme Court of the State of Michigan.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of Michigan, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Andrew Smyl and Victoria Smyl, His Wife, Petitioners,

710 vs.

Joseph Martin, Receiver of the Sterling Bank of Sleeper and Chamberlain, et al.

On petition for writ of certiorari to the Supreme Court of the State of Michigan.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of Michigan, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Hazeltine Corporation, Petitioner,

716 vs.

The Honorable William H. Kirkpatrick, a District Judge Sitting By Designation in the United States District Court for the District of Delaware.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Third Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Hazeltine Corporation, Petitioner,

717 vs.

Honorable William H. Kirkpatrick, a District Judge Sitting By Designation in the United States District Court for the District of Delaware.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Third Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Commissioner of Internal Revenue, Petitioner, vs. Allen S. Lehman. — On petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

720

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Second Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Ralph R. Anderson, Petitioner, vs. Commissioner of Internal Revenue. — On petition for writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit.

725

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Seventh Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Herbert R. Anderson, Petitioner, vs. Commissioner of Internal Revenue. — On petition for writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit.

726

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Seventh Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Consolidated Goldacres Company,
Petitioner,
742 vs.
Commissioner of Internal Revenue.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Tenth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Tenth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

The Cohen, Friedlander & Martin Company,
Petitioner,
743 vs.
Massachusetts Mutual Life Insurance Company.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Sixth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Amilicar J. Trosclair,
Petitioner,
744 vs.
Stanolind Oil & Gas Company and Standard Surety & Casualty Company of New York.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Fifth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Minniola O. Miller,

Petitioner,

690 vs.

The United States of America, et al.

ON CONSIDERATION of the motion to dispense with the printing of the petition and record in this case,

IT IS ORDERED by this Court that the said motion be, and it is hereby, granted.

Per Mr. Chief Justice Vinson.

Minniola O. Miller,

Petitioner,

690 vs.

The United States of America, et al.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Second Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

The Curtiss Candy Company,

Petitioner,

712 vs.

Earl W. Clark, Director, Division of Liquidation, Department of Commerce.

ON CONSIDERATION of the motion of the Solicitor General of the United States for substitution of parties in this case,

IT IS ORDERED by this Court that Edgar C. Turney, present Director, Division of Liquidation, Department of Commerce, be substituted as the party respondent herein and that the cause be so continued and maintained.

Per Mr. Chief Justice Vinson.

The Curtiss Candy Company, Petitioners, vs. Edgar C. Turney, Director, Division of Liquidation, Department of Commerce.

712 On petition for writ of certiorari to the United States Emergency Court of Appeals.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Emergency Court of Appeals, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Dinshah P. Ghadiali and Dinshah Spectro-Chrome Institute, Petitioners, vs. The United States of America.

727

ON CONSIDERATION of the motion to dispense with the printing of the record in this case,

IT IS ORDERED by this Court that the said motion be, and it is hereby, granted.

Per Mr. Chief Justice Vinson.

Dinshah P. Ghadiali and Dinshah Spectro-Chrome Institute, Petitioners, vs. The United States of America.

727 On petition for writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Third Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

James J. O'Loughlin,

Petitioner,

326, Misc. vs.

E. V. Parker, Deputy Commissioner, U. S. Employees Compensation Commission.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Leo Grant Kissinger,

Petitioner,

439, Misc. vs.

Hon. Luther G. Sweigert, District Judge.

ON CONSIDERATION of the motion of petitioner for leave to withdraw the motion for leave to file petition for writ of quo warranto in this case,

IT IS ORDERED by this Court that the said motion be, and it is hereby, granted.

Per Mr. Chief Justice Vinson.

Hervie Starks,

Petitioner,

248, Misc. vs.

Joseph E. Ragen, Warden.

On petition for writ of certiorari to the Supreme Court of the State of Illinois.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Thomas E. Hawks, Petitioner, vs. People of the State of Illinois. — On petition for writ of certiorari to the Supreme Court of the State of Illinois.

333, Misc.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Richard Peabody, Petitioner, vs. Walter Nierstheimer, Warden. — On petition for writ of certiorari to the Circuit Court of Randolph County of the State of Illinois.

334, Misc.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Vol Nelson, Petitioner, vs. People of the State of Illinois. — On petition for writ of certiorari to the Supreme Court of the State of Illinois.

370, Misc.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Wallace Berry, Petitioner, vs. People of the State of Illinois. — On petition for writ of certiorari to the Supreme Court of the State of Illinois.

371, Misc.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Lester Sim Exkano, Petitioner, vs. Joseph W. Sanford, Warden. — On petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit.

374, Misc.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

John Leonard McDowell, Petitioner, vs. The United States of America. — On petition for writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit.

375, Misc.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

August Daniels,
Petitioner,
403, Misc. vs.
Stanley P. Ashe, Warden.

On petition for writ of certiorari to the Supreme Court of the Commonwealth of Pennsylvania.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Malachi Holiday,
Petitioner,
414, Misc. vs.
Edwin T. Swenson, Warden.

On petition for writ of certiorari to the Criminal Court of Baltimore of the State of Maryland.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Ernest J. Hasenfuss,
Petitioner,
419, Misc. vs.
People of the State of New York.

On petition for writ of certiorari to the Court of Appeals of the State of New York.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Fred Putnam,
Petitioner,
422, Misc. vs.
People of the State of Illinois.

On petition for writ of certiorari to the Supreme Court of the State of Illinois.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

George William Bailey,
Petitioner,
424, Misc. vs.
Ben Stewart, Warden.

On petition for writ of certiorari to the Supreme Court of the State of Missouri.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Harry Minor,
Petitioner,
427, Misc. vs.
Joseph E. Ragen, Warden.

On petition for writ of certiorari to the Criminal Court of Cook County of the State of Illinois.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Ray Leo Baugh, Petitioner,
428, Misc. vs.
Joseph E. Ragen, Warden.

On petition for writ of certiorari to the Circuit Court of Madison County of the State of Illinois.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Alvin Habighorst, Petitioner,
435, Misc. vs.
State of Louisiana.

On petition for writ of certiorari to the Supreme Court of the State of Louisiana.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

George W. Henry, Petitioner,
436, Misc. vs.
Frederick S. Baldi, Superintendent.

On petition for writ of certiorari to the Supreme Court of the Commonwealth of Pennsylvania.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Valentine J. Harpstrith, Petitioner, vs. Walter Wierstheimer, Warden. — On petition for writ of certiorari to the Supreme Court of the State of Illinois.

442, Misc.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Walter Lee Smith, Petitioner, vs. Robert A. Heinze, Warden. — On petition for writ of certiorari to the Supreme Court of the State of California.

443, Misc.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Edward DeBerry, Petitioner, vs. State of Maryland. — On petition for writ of certiorari to the Court of Appeals of the State of Maryland.

458, Misc.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Claude Boone, Petitioner, vs. Ben B. Stewart, Warden.

460, Misc.

On petition for writ of certiorari to the Supreme Court of the State of Missouri.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Santos Baronia, Petitioner, vs. Joseph E. Ragen, Warden.

468, Misc.

On petition for writ of certiorari to the Criminal Court of Cook County of the State of Illinois.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

William Hatzis, Petitioner, vs. People of the State of New York.

471, Misc.

On petition for writ of certiorari to the Appellate Division of the Supreme Court of the State of New York.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

John F. McNaughton, Petitioner, vs. People of the State of Illinois. — On petition for writ of certiorari to the Supreme Court of the State of Illinois.

474, Misc.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Henry Nelson, Petitioner, vs. Joseph E. Ragen, Warden. — On petition for writ of certiorari to the Circuit Court of Knox County of the State of Illinois.

481, Misc.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Robert Reynolds, Petitioner, vs. Joseph E. Ragen, Warden. — On petition for writ of certiorari to the Criminal Court of Cook County of the State of Illinois.

482, Misc.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Henry Schectman, Petitioner, vs. People of the State of New York. — On petition for writ of certiorari to the Appellate Division of the Supreme Court of the State of New York, Second Department.

483, Misc.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Regis Williams, Petitioner, vs. People of the State of New York. — On petition for writ of certiorari to the Court of Appeals of the State of New York.

486, Misc.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Johnie Lee Johnson, Petitioner, vs. State of Indiana. — On petition for writ of certiorari to the Criminal Court of Lake County of the State of Indiana.

488, Misc.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Theodore Simmons,
Petitioner,
494, Misc. vs.
Joseph E. Ragen, Warden.

On petition for writ of certiorari to the Supreme Court of the State of Illinois.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Frank Kallas,
Petitioner,
496, Misc. vs.
Joseph E. Ragen, Warden.

On petition for writ of certiorari to the Criminal Court of Cook County of the State of Illinois.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Elmer Davis,
Petitioner,
367, Misc. vs.
Joseph E. Ragen, Warden.

On petition for writ of certiorari to the Circuit Court of Rock Island County, State of Illinois.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied. The motions for other relief are also denied.

Per Mr. Chief Justice Vinson.

Herbert Mezo,

Petitioner,

340, Misc. vs.

Walter Wierstheimer, Warden.

ON CONSIDERATION of the motion for leave to file a petition for writ of habeas corpus herein,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Roy Orr,

Petitioner,

417, Misc. vs.

Ralph E. Benson, Warden.

ON CONSIDERATION of the motion for leave to file a petition for writ of habeas corpus herein,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Earl Spencer,

Petitioner,

423, Misc. vs.

Joseph E. Ragen, Warden.

ON CONSIDERATION of the motion for leave to file a petition for writ of habeas corpus herein,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Richard J. Thomas,

Petitioner,

425, Misc. vs.

Walter A. Hunter, Warden.

ON CONSIDERATION of the motion for leave to file a petition for writ of habeas corpus herein,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

George W. Miller,

Petitioner,

433, Misc. vs.

Ben B. Stewart, Warden.

ON CONSIDERATION of the motion for leave to file a petition for writ of habeas corpus herein,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

V. J. Schunke,

Petitioner,

434, Misc. vs.

Robert A. Heinze, Warden.

ON CONSIDERATION of the motion for leave to file a petition for writ of habeas corpus herein,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Clyde A. Henderson,

Petitioner,

445, Misc. vs.

Ralph Howard, Warden.

ON CONSIDERATION of the motion for leave to file a petition for writ of habeas corpus herein,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Leon La Count,

Petitioner,

465, Misc. vs.

Ralph Howard, Warden.

ON CONSIDERATION of the motion for leave to file a petition for writ of habeas corpus herein,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Howard Walker,

Petitioner,

467, Misc. vs.

State of Maryland.

ON CONSIDERATION of the motion for leave to file a petition for writ of habeas corpus herein,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Joseph Greco,

Petitioner,

472, Misc. vs.

Ben B. Stewart, Warden.

ON CONSIDERATION of the motion for leave to file a petition for writ of habeas corpus herein,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Cecil C. Crebs,

Petitioner,

440, Misc. vs.

The Supreme Court of the State of Kansas.

ON CONSIDERATION of the motion for leave to file a petition for writ of mandamus herein,

IT IS ORDERED by this Court that the said motion be, and it is hereby, denied.

Per Mr. Chief Justice Vinson.

George W. Tall,

Petitioner,

461, Misc. vs.

People of the State of Illinois.

ON CONSIDERATION of the application submitted herein by George W. Tall,

IT IS ORDERED by this Court that the said application be, and it is hereby, denied.

Per Mr. Chief Justice Vinson.

In the Matter of Frank W. O'Neill.

479, Misc.

ON CONSIDERATION of the motion for leave to file a petition for writ of mandamus herein,

IT IS ORDERED by this Court that the said motion be, and it is hereby, denied.

Per Mr. Chief Justice Vinson.

Rudolph Lapka,

Petitioner,

484, Misc. vs.

The United States of America.

ON CONSIDERATION of the application submitted herein by Rudolph Lapka,

IT IS ORDERED by this Court that the said application be, and it is hereby, denied.

Per Mr. Chief Justice Vinson.

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Proclamation being made the Court is adjourned until Monday, May 24, next, at 12 o'clock.

The Court met in Special Term pursuant to a call by the Chief Justice having the approval of all the Associate Justices.

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PRESENT:

The Honorable Fred M. Vinson, Chief Justice,
Hugo L. Black,
Stanley Reed,
Felix Frankfurter,
William O. Douglas,
Wiley Rutledge,
Harold H. Burton. Associate Justices.

Thomas Ennalls Waggaman, Esquire, Marshal,

Charles Elmore Cropley, Clerk.

Proclamation being made the Court is opened.

Willis M. Everett, Jr., on Behalf of Valentin Bersin, et al.,

Petitioner,

512, Misc. vs.

Harry S. Truman, Commander in Chief of the Armed Forces of the United States, et al.

ON CONSIDERATION of the motion for leave to file a petition for an original writ of habeas corpus for relief from sentences upon the verdicts of a General Military Government Court at Dachau, Germany,

IT IS ORDERED by this Court that the said motion be, and it is hereby, denied.

Per Mr. Chief Justice Vinson.

The Chief Justice, Mr. Justice Reed, Mr. Justice Frankfurter, and Mr. Justice Burton are of the opinion that there is want of jurisdiction.

Mr. Justice Black, Mr. Justice Douglas, Mr. Justice Murphy, and Mr. Justice Rutledge are of the opinion that the motion for leave to file the petition should be granted and that the case should be set for argument forthwith.

Mr. Justice Jackson took no part in the consideration or decision of this motion.

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Proclamation being made the Court is adjourned until Monday, May 24, at 12 o'clock.

Pursuant to adjournment the Court met at the Supreme Court Building.

PRESENT:

The Honorable Fred M. Vinson, Chief Justice,
Hugo L. Black,
Stanley Reed,
Felix Frankfurter,
William O. Douglas,
Frank Murphy,
Robert H. Jackson,
Wiley Rutledge,
Harold H. Burton. Associate Justices.

Thomas Ennalls Waggaman, Esquire, Marshal,

Charles Elmore Cropley, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. William C. Cole, It is ordered that Parke M. Banta, Esquire, of Arcadia, State of Missouri, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Solicitor General Philip B. Perlman, It is ordered that Irwin E. Blum, Esquire, of Washington, District of Columbia; Arthur David Schaffer, Esquire, of Washington, District of Columbia; Louis A. Sefranka, Esquire, of Southhampton, Commonwealth of Massachusetts; and James Davison Fellers, Esquire, of Oklahoma City, State of Oklahoma, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. William A. Dawson, It is ordered that Newel G. Daines, Esquire, of Logan, State of Utah, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Errett P. Scrivner, It is ordered that Spencer A. Gard, Esquire, of Iola, State of Kansas, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Will Shafroth, It is ordered that Earle W. Frost, Esquire, of Kansas City, State of Missouri, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Homer D. Angell, It is ordered that Arthur Langguth, Esquire, of Portland, State of Oregon, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Edward G. Kemp, It is ordered that Philip John Weiss, Esquire, of Seattle, State of Washington, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Herman P. Eberharter, It is ordered that Nathaniel K. Beck, Esquire, of Pittsburgh, Commonwealth of Pennsylvania, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Roger S. Foster, It is ordered that Harry George Slater, Esquire, of Newton, Commonwealth of Massachusetts, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. William Jennings Price, It is ordered that Joe G. Davis, Esquire, of Danville, Commonwealth of Kentucky, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Jesse B. Messitte, It is ordered that George Brussel, Jr., Esquire, of New York, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Henry J. Richardson, It is ordered that Frank Edwin Chowning, Esquire, of Little Rock, State of Arkansas, and Lawrence E. Burrow, Esquire, of Little Rock, State of Arkansas, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. W. Graham Claytor, Jr., It is ordered that William Dowdell Denson, Esquire, of Birmingham, State of Alabama, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Benjamin Fisher Pollack, It is ordered that Harry Pollack, Esquire, of Boston, Commonwealth of Massachusetts, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Dale C. Dillon, It is ordered that George L. Weisbard, Esquire, of Chicago, State of Illinois, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Neville Miller, It is ordered that Harold T. Hotopp, Esquire, of Louisville, Commonwealth of Kentucky, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Conrad E. Snow, It is ordered that Russell G. Pelton, Esquire, of New York, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Thomas L. Mead, Jr., It is ordered that Francis C. Browne, Esquire, of Washington, District of Columbia, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Carl McGowan, It is ordered that Najeeb E. Halaby, Jr., Esquire, of Los Angeles, State of California, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Herbert G. Fillen, It is ordered that Joseph John Cracium, Esquire, of Warren, State of Ohio, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Burton R. Thornan, It is ordered that Frederic Davis Dasseri, Esquire, of New York, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Richard Dunham Sowder, It is ordered that Edward Thayer Goodrich, Esquire, of Detroit, State of Michigan, and Lyle Laughlin Jones, Jr., Esquire, of San Francisco, State of California, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

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Walter A. Hunter, Warden, United States Penitentiary, Leavenworth, Kansas,

Petitioner,

643 vs.

Fred Clifford Martin.

On writ of certiorari to the United States Circuit Court of Appeals for the Tenth Circuit.

THIS CAUSE came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Tenth Circuit, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is now here ordered and adjudged by this Court that the judgment of the said United States Circuit Court of Appeals, in this cause, be, and the same is hereby, reversed; and that this cause be, and the same is hereby, remanded to the District Court of the United States for the District of Kansas for proceedings in conformity with the opinion of this Court.

Per Mr. Justice Jackson.

Hazel E. Briggs, as Administratrix of the Goods, Chattels and Credits Which Were of Ralph Briggs, Deceased,

Petitioner,

530 vs.

The Pennsylvania Railroad Company.

On writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

THIS CAUSE came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Second Circuit, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is now here ordered and adjudged by this Court that the judgment of the said United States Circuit Court of Appeals, in this cause, be, and the same is hereby, affirmed with costs; and that this cause be, and the same is hereby, remanded to the District Court of the United States for the Southern District of New York.

Per Mr. Justice Jackson.

Dissenting opinion by Mr. Justice Rutledge in which Mr. Justice Black, Mr. Justice Douglas, and Mr. Justice Murphy join.

Homer C. Price, Petitioner, vs. James A. Johnston, Warden, United States Penitentiary, Alcatraz, California. — On writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit.

111

THIS CAUSE came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Ninth Circuit, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is now here ordered and adjudged by this Court that the judgment of the said United States Circuit Court of Appeals, in this cause, be, and the same is hereby, reversed; and that this cause be, and the same is hereby, remanded to the District Court of the United States for the Northern District of California for further proceedings in conformity with the opinion of this Court.

Per Mr. Justice Murphy.

Dissenting opinion by Mr. Justice Frankfurter in which the Chief Justice and Mr. Justice Reed join.

Dissenting opinion by Mr. Justice Jackson.

The United States of America, Petitioner, vs. United States District Court for the Southern District of New York, et al. — On writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

527

THIS CAUSE came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Second Circuit, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is now here ordered and adjudged by this Court that the order of the said United States Circuit Court of Appeals, in this cause, be, and the same is hereby, reversed; and that this cause be, and the same is hereby, remanded to the said Circuit Court of Appeals for further proceedings in conformity with the opinion of this Court.

Per Mr. Justice Douglas.

Concurring opinion by Mr. Justice Frankfurter.

Mr. Justice Murphy and Mr. Justice Jackson took no part in the consideration or decision of this case.

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The Chief Justice announced the following order of the Court:

William H. Redding, Appellant, vs. City of Los Angeles, Hon. Fletcher Bowron, Mayer Thereof, et al.	Appeal from the District Court of Appeal of the State of California, 2nd Appellate District.

754

THIS CAUSE came on to be heard on the transcript of the record from the District Court of Appeal of the State of California, 2nd Appellate District, and was duly submitted.

ON CONSIDERATION WHEREOF, It is now here ordered by this Court that the appeal herein be, and the same is hereby, dismissed for the want of a substantial federal question.

Per Mr. Chief Justice Vinson.

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The Chief Justice said:

"The other orders of the Court appear upon the list certified by the Chief Justice and filed with the Clerk and will not be announced orally."

The United States of America,

Complainant,

12, Original vs.

The State of California.

ON CONSIDERATION of the motion of the Campo Band of Indians and others for leave to intervene in this case,

IT IS ORDERED by this Court that the said motion be, and it is hereby, denied.

Per Mr. Chief Justice Vinson.

Federal Trade Commission,

Petitioner,

23 vs.

The Cement Institute, et al.;

Federal Trade Commission,

Petitioner,

24 vs.

Aetna Portland Cement Company, et al.;

Federal Trade Commission,

Petitioner,

25 vs.

Marquette Cement Manufacturing Company;

Federal Trade Commission,

Petitioner,

26 vs.

Calavaras Cement Company, et al.;

Federal Trade Commission,

Petitioner,

27 vs.

Huron Portland Cement Company;

Federal Trade Commission,

Petitioner,

28 vs.

Superior Portland Cement, Inc.;

Federal Trade Commission,

Petitioner,

29 vs.

Northwestern Portland Cement Company;

Federal Trade Commission,

Petitioner,

30 vs.

Riverside Cement Company;

Federal Trade Commission,

Petitioner,

31 vs.

Universal Atlas Cement Company;

Federal Trade Commission,

Petitioner,

32 vs.

California Portland Cement Company;

Federal Trade Commission,

Petitioner,

33 vs.

Monolith Portland Cement Company, et al.; and

Federal Trade Commission,

Petitioner,

34 vs.

Blaine S. Smith, et al.

ON CONSIDERATION of the application of counsel for the respondent in case No. 25 for an extension of time to file a rehearing,

IT IS ORDERED by this Court that the time for filing petitions for rehearing in these cases be, and it is hereby, extended to and including June 1, 1948.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas and Mr. Justice Jackson took no part in the consideration or decision of this application.

Trust Under Agreement Dated December 30, 1921, by John E. Andrus, Deceased, et al.,

Petitioners,

408 vs.

Commissioner of Internal Revenue.

ON CONSIDERATION of the motion to extend the time within which to file petition for rehearing in this case,

IT IS ORDERED by this Court that the said motion be, and it is hereby, denied.

Per Mr. Chief Justice Vinson.

Lincoln Federal Labor Union #19129, American Federation of Labor, et al.,

Appellants,

761 vs.

Northwestern Iron and Metal Company, et al.

The statement of jurisdiction in this case having been submitted and considered by the Court, probable jurisdiction is noted and the case is assigned for argument following American Federation of Labor, et al. vs. American Sash & Door Company, et al., No. 626.

Per Mr. Chief Justice Vinson.

Valentine Goesaert, et al.,

Appellants,

780 vs.

Owen J. Cleary, et al., Members of the Liquor Control Commission of the State of Michigan.

The statement of jurisdiction in this case having been submitted and considered by the Court, probable jurisdiction is noted and the case is transferred to the summary docket.

Per Mr. Chief Justice Vinson.

Joe J. Fisher, Petitioner,

756 vs.

R. C. Pace, Sheriff of Jasper County, Texas.

Order allowing certiorari.

The petition herein for a writ of certiorari to the Supreme Court of the State of Texas is granted.

And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

Ed Wetzel, Petitioner,

644 vs.

Wm. F. Schaefer.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Fifth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Harry J. Alker, Jr., and Mamie Du Ban, Individually and as Executrix of the Estate of Alfred A. Du Ban, Petitioners,

697 vs.

Federal Deposit Insurance Corporation.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Third Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

A. N. Cone,
Petitioner,
706 vs.
West Virginia Pulp and Paper Company.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Fourth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

The United States,
Petitioner,
713 vs.
The Sunswick Corporation.

On petition for writ of certiorari to The Court of Claims.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Court of Claims and of the argument of counsel thereupon had, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

J. S. Garlington and Jennie Lou Garlington,
Petitioners,
718 vs.
A. L. Wasson, Martha Wasson and N. H. Reed.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Fifth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Ben E. Goodwin and M. R. Goodwin, Doing Business as Ben E. Goodwin Company,

Petitioners,

724 vs.

The United States of America.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Eighth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Arkansas Oak Flooring Company and American Surety Company of New York,

Petitioners,

738 vs.

Louisiana & Arkansas Railway Company.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Fifth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Emily V. Hurley, et al., Infants by Emily V. Hurley, Their Mother, Natural Guardian and Next Friend,

Petitioners,

751 vs.

Samuel S. Lowe, Deputy Commissioner, Bureau of Employees' Compensation, Federal Security Agency, et al.

On petition for writ of certiorari to the United States Court of Appeals for the District of Columbia.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the District of Columbia, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

George D. Quigley and Safeway Trails, Inc.,
Petitioners,
758 vs.
The Public Service Commission of Maryland, Pennsylvania Greyhound, a Corporation, et al.

On petition for writ of certiorari to the Court of Appeals of the State of Maryland.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Court of Appeals of the State of Maryland, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Baumer Foods, Inc.,
Petitioner,
767 vs.
G. I. Griffith.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Ninth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

New Amsterdam Casualty Company, et al.,
Petitioners,
778 vs.
Craighead Rice Milling Company.

ON CONSIDERATION of the motion of counsel for respondent to supplement the record in this case,

IT IS ORDERED by this Court that the said motion be, and it is hereby, denied.

Per Mr. Chief Justice Vinson.

New Amsterdam Casualty Company, et al., Petitioners,
778 vs.
Craighead Rice Milling Company.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Eighth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Full Salvation Union (a Michigan Religious Corporation), et al., Appellants,
609 vs.
Portage Township, Kalamazoo County, Michigan.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Algernon Blair, Petitioner,
617 vs.
The United States of America, et al.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Gretchen McRae,

Petitioner,

680 vs.

Tighe E. Woods, Housing Expediter.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Georgia M. Spruill,

Petitioner,

304, Misc. vs.

Daniel E. Campbell, Executor.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Robert Schuman,

Petitioner,

227, Misc. vs.

Robert A. Heinze, Warden.

On petition for writ of certiorari to the Supreme Court of the State of California.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

John Harry McGough, Petitioner, vs. The United States of America. — On petition for writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit.

306, Misc.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Benjamin Rockower, Petitioner, vs. People of the State of New York. — On petition for writ of certiorari to the Appellate Division of the Supreme Court of the State of New York.

338, Misc.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Everett Rheim, Petitioner, vs. People of the State of New York. — On petition for writ of certiorari to the Appellate Division of the Supreme Court of the State of New York, First Department.

385, Misc.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Williard Sanders, Petitioner, vs. James A. Johnston, Warden.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit.

387, Misc.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Emile C. de Stubner, Petitioner, vs. United Carbon Company, et al.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit.

401, Misc.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

James Moore Scott, Petitioner, vs. James A. Johnston, Warden.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit.

410, Misc.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Johnnie Allen, Petitioner, vs. Clarence P. Burford, Warden. — On petition for writ of certiorari to the Criminal Court of Appeals of the State of Oklahoma.

489, Misc.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Herbert Smith, Petitioner, vs. Joseph E. Ragen, Warden. — On petition for writ of certiorari to the Criminal Court of Cook County of the State of Illinois.

501, Misc.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Ralph Heard, Petitioner, vs. Joseph E. Ragen, Warden. — On petition for writ of certiorari to the Circuit Court of Will County of the State of Illinois.

505, Misc.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

William Howard,
Petitioner,
506, Misc. vs.
Circuit Court of Will County, Illinois.

On petition for writ of certiorari to the Circuit Court of Will County of the State of Illinois.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Edward J. Kruse,
Petitioner,
493, Misc. vs.
Joseph E. Ragen, Warden.

On petition for writ of certiorari to the Supreme Court of the State of Illinois.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Edward J. Kruse,
Petitioner,
493, Misc. vs.
Joseph E. Ragen, Warden.

ON CONSIDERATION of the motion for leave to file a petition for writ of habeas corpus herein,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Dewey White,

Petitioner,

497, Misc. vs.

United States District Court for the Northern District of Illinois.

ON CONSIDERATION of the motion for leave to file a petition for writ of mandamus herein,

IT IS ORDERED by this Court that the said motion be, and it is hereby, denied.

Per Mr, Chief Justice Vinson.

Richard Anderson Lowe,

Petitioner,

502, Misc. vs.

The United States of America.

ON CONSIDERATION of the motion for leave to file a petition for writ of habeas corpus herein,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

In the Matter of Hubert Krautwurst.

386, Misc.

Treating the application in this case as a motion for leave to file a petition for an original writ of habeas corpus,

It is ordered by this Court that leave to file be, and it is hereby, denied.

Per Mr. Chief Justice Vinson.

The Chief Justice, Mr. Justice Reed, Mr. Justice Frankfurter, and Mr. Justice Burton are of the opinion that there is want of jurisdiction.

Mr. Justice Black, Mr. Justice Douglas, Mr. Justice Murphy, and Mr. Justice Rutledge are of the opinion that the motion for leave to file should be granted and that the case should be set for argument forthwith.

Mr. Justice Jackson took no part in the consideration or decision of this application.

Willi Rieke,

Petitioner,

390, Misc. vs.

The United States of America.

Treating the application in this case as a motion for leave to file a petition for an original writ of habeas corpus,

It is ordered by this Court that leave to file be, and it is hereby, denied.

Per Mr. Chief Justice Vinson.

The Chief Justice, Mr. Justice Reed, Mr. Justice Frankfurter, and Mr. Justice Burton are of the opinion that there is want of jurisdiction.

Mr. Justice Black, Mr. Justice Douglas, Mr. Justice Murphy, and Mr. Justice Rutledge are of the opinion that the motion for leave to file should be granted and that the case should be set for argument forthwith.

Mr. Justice Jackson took no part in the consideration or decision of this application.

In the Matter of Josef Kiwitt.

411, Misc.

Treating the application in this case as a motion for leave to file a petition for an original writ of habeas corpus,

It is ordered by this Court that leave to file be, and it is hereby, denied.

Per Mr. Chief Justice Vinson.

The Chief Justice, Mr. Justice Reed, Mr. Justice Frankfurter, and Mr. Justice Burton are of the opinion that there is want of jurisdiction.

Mr. Justice Black, Mr. Justice Douglas, Mr. Justice Murphy, and Mr. Justice Rutledge are of the opinion that the motion for leave to file should be granted and that the case should be set for argument forthwith.

Mr. Justice Jackson took no part in the consideration or decision of this application.

In the Matter of Waldemar Hoven.

430, Misc.

Treating the application in this case as a motion for leave to file a petition for an original writ of habeas corpus,

IT IS ORDERED by this Court that leave to file be, and it is hereby, denied.

Per Mr. Chief Justice Vinson.

The Chief Justice, Mr. Justice Reed, Mr. Justice Frankfurter, and Mr. Justice Burton are of the opinion that there is want of jurisdiction.

Mr. Justice Black, Mr. Justice Douglas, Mr. Justice Murphy, and Mr. Justice Rutledge are of the opinion that the motion for leave to file should be granted and that the case should be set for argument forthwith.

Mr. Justice Jackson took no part in the consideration or decision of this application.

In the Matter of Heinz Hellenbroich.

437, Misc.

Treating the application in this case as a motion for leave to file a petition for an original writ of habeas corpus,

It is ordered by this Court that leave to file be, and it is hereby, denied.

Per Mr. Chief Justice Vinson.

The Chief Justice, Mr. Justice Reed, Mr. Justice Frankfurter, and Mr. Justice Burton are of the opinion that there is want of jurisdiction.

Mr. Justice Black, Mr. Justice Douglas, Mr. Justice Murphy, and Mr. Justice Rutledge are of the opinion that the motion for leave to file should be granted and that the case should be set for argument forthwith.

Mr. Justice Jackson took no part in the consideration or decision of this application.

In the Matter of Alez Bernhard Piorkowski.

438, Misc.

Treating the application in this case as a motion for leave to file a petition for an original writ of habeas corpus,

It is ordered by this Court that leave to file be, and it is hereby, denied.

Per Mr. Chief Justice Vinson.

The Chief Justice, Mr. Justice Reed, Mr. Justice Frankfurter, and Mr. Justice Burton are of the opinion that there is want of jurisdiction.

Mr. Justice Black, Mr. Justice Douglas, Mr. Justice Murphy, and Mr.

Justice Rutledge are of the opinion that the motion for leave to file should be granted and that the case should be set for argument forthwith.

Mr. Justice Jackson took no part in the consideration or decision of this application.

In the Matter of Erwin Goss.

446, Misc.

Treating the application in this case as a motion for leave to file a petition for an original writ of habeas corpus,

It is ordered by this Court that leave to file be, and it is hereby, denied.

Per Mr. Chief Justice Vinson.

The Chief Justice, Mr. Justice Reed, Mr. Justice Frankfurter, and Mr. Justice Burton are of the opinion that there is want of jurisdiction.

Mr. Justice Black, Mr. Justice Douglas, Mr. Justice Murphy, and Mr. Justice Rutledge are of the opinion that the motion for leave to file should be granted and that the case should be set for argument forthwith.

Mr. Justice Jackson took no part in the consideration or decision of this application.

In the Matter of Ludwig Firmenich.

455, Misc.

Treating the application in this case as a motion for leave to file a petition for an original writ of habeas corpus,

It is ordered by this Court that leave to file be, and it is hereby, denied.

Per Mr. Chief Justice Vinson.

The Chief Justice, Mr. Justice Reed, Mr. Justice Frankfurter, and Mr. Justice Burton are of the opinion that there is want of jurisdiction.

Mr. Justice Black, Mr. Justice Douglas, Mr. Justice Murphy, and Mr. Justice Rutledge are of the opinion that the motion for leave to file should be granted and that the case should be set for argument forthwith.

Mr. Justice Jackson took no part in the consideration or decision of this application.

In the Matter of Jakob Valentin Seiler.

456, Misc.

Treating the application in this case as a motion for leave to file a petition for an original writ of habeas corpus,

It is ordered by this Court that leave to file be, and it is hereby, denied.

Per Mr. Chief Justice Vinson.

The Chief Justice, Mr. Justice Reed, Mr. Justice Frankfurter, and Mr. Justice Burton are of the opinion that there is want of jurisdiction.

Mr. Justice Black, Mr. Justice Douglas, Mr. Justice Murphy, and Mr. Justice Rutledge are of the opinion that the motion for leave to file should be granted and that the case should be set for argument forthwith.

Mr. Justice Jackson took no part in the consideration or decision of this application.

In the Matter of Karl Hunsicker.

457, Misc.

Treating the application in this case as a motion for leave to file a petition for an original writ of habeas corpus,

It is ordered by this Court that leave to file be, and it is hereby, denied.

Per Mr. Chief Justice Vinson.

The Chief Justice, Mr. Justice Reed, Mr. Justice Frankfurter, and Mr. Justice Burton are of the opinion that there is want of jurisdiction.

Mr. Justice Black, Mr. Justice Douglas, Mr. Justice Murphy, and Mr. Justice Rutledge are of the opinion that the motion for leave to file should be granted and that the case should be set for argument forthwith.

Mr. Justice Jackson took no part in the consideration or decision of this application.

In the Matter of Richard Fritz Girke.

463, Misc.

Treating the application in this case as a motion for leave to file a petition for an original writ of habeas corpus,

It is ordered by this Court that leave to file be, and it is hereby, denied.

Per Mr. Chief Justice Vinson.

The Chief Justice, Mr. Justice Reed, Mr. Justice Frankfurter, and Mr. Justice Burton are of the opinion that there is want of jurisdiction.

Mr. Justice Black, Mr. Justice Douglas, Mr. Justice Murphy, and Mr. Justice Rutledge are of the opinion that the motion for leave to file should be granted and that the case should be set for argument forthwith.

Mr. Justice Jackson took no part in the consideration or decision of this application.

In the Matter of Herbert Kunze.

478, Misc.

Treating the application in this case as a motion for leave to file a petition for an original writ of habeas corpus,

It is ordered by this Court that leave to file be, and it is hereby, denied.

Per Mr. Chief Justice Vinson.

The Chief Justice, Mr. Justice Reed, Mr. Justice Frankfurter, and Mr. Justice Burton are of the opinion that there is want of jurisdiction.

Mr. Justice Black, Mr. Justice Douglas, Mr. Justice Murphy, and Mr. Justice Rutledge are of the opinion that the motion for leave to file should be granted and that the case should be set for argument forthwith.

Mr. Justice Jackson took no part in the consideration or decision of this application.

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Proclamation being made the Court is adjourned until Tuesday, June 1, next, at 12 o'clock.

Pursuant to adjournment the Court met at the Supreme Court Building.

PRESENT:

The Honorable Fred M. Vinson, Chief Justice,
Hugo L. Black,
Stanley Reed,
Felix Frankfurter,
William O. Douglas,
Robert H. Jackson,
Wiley Rutledge,
Harold H. Burton. Associate Justices.

Thomas Ennalls Waggaman, Esquire, Marshal,

Charles Elmore Cropley, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. John L. McClellan, It is ordered that Agnes F. Ashby, (Mrs.) of Arkadelphia, State of Arkansas, be admitted to practice as an Attorney and Counsellor of this Court, and she was sworn accordingly.

On motion first made to the Court in this behalf by Mr. George A. Smathers, It is ordered that Parker Holt, Esquire, of Fort Myers, State of Florida, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Earl Ramage Lewis, It is ordered that James M. Matthews, Jr., Esquire, of Enon, State of Ohio, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. James P. Kem, It is ordered that Guy W. Rice, Esquire, of Kansas City, State of Missouri, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Earl C. Michener, It is ordered that Maxwell P. Badgley, Esquire, of Jackson, State of Michigan, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. George A. Smathers, It is ordered that Walter C. Meyner, Esquire, of Miami Beach, State of Florida; Godfrey K. Newman, Esquire, of Miami Beach, State of Florida; Harry Zukernick, Esquire, of Miami Beach, State of Florida; George C. Young, Esquire, of Miami, State of Florida; and Harold Turk, Esquire, of Miami Beach, State of Florida, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Justin Leroy Johnson, It is ordered that Frank V. Campbell, Esquire, of San Jose, State of California, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Frederick Bernays Wiener, It is ordered that George Eric Rosden, Esquire, of Washington, District of Columbia; Thomas H. King, Esquire, of Washington, District of Columbia; and William B. Stephenson, Esquire, of Honolulu, Territory of Hawaii, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. R. A. Van Orsdel, It is ordered that H. H. Walker Lewis, Esquire, of Baltimore, State of Maryland, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Arnold Raum, It is ordered that John D. Prince, Jr., Esquire, of Birmingham, State of Alabama, and Carlton T. Wynn, Esquire, of Birmingham, State of Alabama, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Patrick M. Hildea, It is ordered that Edward Louis Cochran, Esquire, of San Francisco, State of California, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Gareth M. Neville, It is ordered that Dee R. Bramwell, Esquire, of Ogden, State of Utah, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. F. Granville Munson, It is ordered that Richard Hayward Tunstead, Esquire, of New York, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Edmund Jones, It is ordered that Charles E. Rankin, Esquire, of Chester, Commonwealth of Pennsylvania, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Walter L. Baumgartner, It is ordered that Russell F. Stark, Esquire, of Olympia, State of Washington, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. James K. Knudson, It is ordered that Isidore J. Lowe, Esquire, of Boston, Commonwealth of Massachusetts, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Eulan I. Snyder, It is ordered that Richard Theodore Boehm, Esquire, of Columbus, State of Ohio, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. John H. Pratt, It is ordered that John Peace, Esquire, of San Antonio, State of Texas, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. William Lawrence McGovern, It is ordered that John W. Stokes, Esquire, of Atlanta, State of Georgia, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Guy H. Woodward, It is ordered that George W. Smith, Esquire, of Oklahoma City, State of Oklahoma, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Joseph Forer, It is ordered that Harry Platnik, Esquire, of New York, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Norman S. Altman, It is ordered that Anna Faye Blackburn, of Otway, State of Ohio, be admitted to practice as an Attorney and Counsellor of this Court, and she (Miss) was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Robert L. Stern, It is ordered that William Wolcott Goodrich, Esquire, of Marlin, State of Texas, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Samuel Levine, It is ordered that Hyman Goldman, Esquire, of Beverly Hills, State of California, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Frank J. Wideman, It is ordered that Madison P. Pacetti, Esquire, of West Palm Bea[illegible], State of Florida, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Austin F. Canfield, It is ordered that William S. Rahauser, Esquire, of Pittsburgh, Commonwealth of Pennsylvania, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Charles Sylvanus Rhyne, It is ordered that John Francis Hanson, Jr., Esquire, of Alameda, State of California, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Newell Blair, It is ordered that Mary Riepma Cowell, of New York, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and she was sworn accordingly. (Mrs.)

On motion first made to the Court in this behalf by Mrs. Cecil Mignonac Roeder, It is ordered that Emily A. Spilman, of Washington, District of Columbia, be admitted to practice as an Attorney and Counsellor of this Court, and she was sworn accordingly. (Miss)

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Joseph Paterno,

Petitioner,

vs.

On writ of certiorari to the Court of Appeals of the State of New York.

583

John A. Lyons, as Commissioner of Correction of the State of New York.

THIS CAUSE came on to be heard on the transcript of the record from the Court of Appeals of the State of New York, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is ordered and adjudged by this Court that the judgment of the said Court of Appeals, in this cause, be, and the same is hereby, affirmed.

Per Mr. Justice Black.

Concurring opinion by Mr. Justice Frankfurter.

Dissenting: Mr. Justice Douglas.

Earle W. Hilton,

Petitioner,

560 vs.

John L. Sullivan, Secretary of the Navy, Frances Perkins, Harry B. Mitchell and Arthur Flemming, Members of the Civil Service Commission.

On writ of certiorari to the United States Court of Appeals for the District of Columbia.

THIS CAUSE came on to be heard on the transcript of the record from the United States Court of Appeals for the District of Columbia, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is now here ordered and adjudged by this Court that the judgment of the said United States Court of Appeals, in this cause, be, and the same is hereby, affirmed; and that this cause be, and the same is hereby, remanded to the District Court of the United States for the District of Columbia.

Per Mr. Justice Black.

Concurring opinion by Mr. Justice Reed in which Mr. Justice Frankfurter and Mr. Justice Jackson join.

Concurring opinion by Mr. Justice Rutledge.

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The Chief Justice said:

"The orders of the Court appear upon the list certified by the Chief Justice and filed with the Clerk and will not be announced orally."

Horace A. Young, Betty Jean Gilbert, and Patsy Marie Gilbert, Minors, etc., et al.,

Petitioners,

834 vs.

Asa C. Garrett, Frank Garrett, R. S. Foster, et al.

ON APPLICATION of counsel for the petitioners, it is ordered that the time for making service of the petition, brief, and record be extended to a date which is not later than 10 days after the giving of notice by the Clerk of this Court to counsel for the petitioner that the printed record has been delivered to such Clerk.

Per Mr. Chief Justice Vinson.

Ingram M. Stainback, Governor of the Territory of Hawaii, et al.,

Appellants,

789 vs.

Mo Hock Ke Lok Po, an Eleemosynary Corporation, et al.

The statement of jurisdiction in this case having been submitted and considered by the Court, further consideration of the question of the jurisdiction of this Court is postponed to the hearing of the case on the merits.

Per Mr. Chief Justice Vinson.

National Labor Relations Board, Order allowing certiorari.

Petitioner,

757 vs.

Stowe Spinning Company.

The petition herein for a writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit is granted.

And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

Stowe Spinning Company, On petition for writ of certiorari

Petitioner, to the United States Circuit

676 vs. Court of Appeals for the Fourth

National Labor Relations Board. Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Fourth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Foreign Trade Management Company, Incorporated,

Petitioner,

730 vs.

The United States.

On petition for writ of certiorari to The Court of Claims.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Court of Claims and of the argument of counsel thereupon had, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Foreign Trade Management Company, Incorporated,

Petitioner,

731 vs.

The United States.

On petition for writ of certiorari to The Court of Claims.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Court of Claims and of the argument of counsel thereupon had, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mayte C. Ross,

Petitioner,

746 vs.

The United States.

On petition for writ of certiorari to The Court of Claims.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Court of Claims and of the argument of counsel thereupon had, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Edward J. Gill, Frank C. Menking, James A. Hill, et al.,

Petitioners,

752 vs.

Mesta Machine Company.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Third Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

John Francis Clements, an Infant, by Jesse Franklin Clements, His Next Friend,

Petitioner,

755 vs.

Cleveland & Chicago Motor Express Company.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Seventh Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mrs. Frank Jowers, et al,

Petitioners,

763 vs.

Dowell, Incorporated.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Fifth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Michael Downs, Petitioner, vs. Commissioner of Internal Revenue. — On petition for writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit.

764

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Ninth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

J. Gerber Hoofnel, Petitioner, vs. Commissioner of Internal Revenue. — On petition for writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit.

765

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Ninth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Harry Schnell, et al., Co-Partners Doing Business Under the Firm Name and Style of H. Schnell & Co., Petitioners, vs. The United States of America as Owner of the Steamship "Tubul". — On petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

768

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Second Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Porter Royalty Pool, Inc., Petitioner, On petition for writ of certiorari to the United States Circuit Court
770 vs. of Appeals for the Sixth Circuit.
Commissioner of Internal Revenue.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Sixth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Glens Falls Indemnity Company, Petitioner, On petition for writ of certiorari to the United States Circuit Court
771 vs. of Appeals for the Ninth Circuit.
Basich Brothers Construction Company.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Ninth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Frank Campbell Littleton, Petitioner, On petition for writ of certiorari to the United States Circuit Court
790 vs. of Appeals for the Fourth Circuit.
David N. Rust, et al.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Fourth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Paysoff Tinkoff,

Petitioner,

810 vs.

People of the State of Illinois, ex rel.
The Chicago Bar Association, et al.

ON CONSIDERATION of the application for stay of execution of the judgment of the Supreme Court of Illinois in this case,

IT IS ORDERED by this Court that the said application for a stay be, and it is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Jackson took no part in the consideration or decision of this application.

Paysoff Tinkoff,

Petitioner,

810 vs.

People of the State of Illinois,
ex rel. The Chicago Bar Association,
et al.

On petition for writ of certiorari to the Supreme Court of the State of Illinois.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of Illinois, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Jackson took no part in the consideration or decision of this application.

Schine Chain Theatres, Inc., et al.,

Appellants,

10 vs.

The United States of America.

ON CONSIDERATION of the petition of the United States for clarification of the opinion of this Court in this case,

IT IS ORDERED by this Court that the said petition be, and it is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Jackson and Mr. Justice Murphy took no part in the consideration or decision of this application.

Mandeville Island Farms, Inc., et al.,

Petitioners,

75 vs.

American Crystal Sugar Company.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

John Mellon,

Petitioner,

638 vs.

The United States of America.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

The United States of America,

Petitioner,

663 vs.

The Cold Metal Process Company, et al.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Cargill, Incorporated,

Petitioner,

671 vs.

The Board of Trade of the City of Chicago, et al.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Raymond A. Belz,

Petitioner,

685 vs.

Board of Trade of the City of Chicago, et al.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

George D. Finley, Hattie Finley, et al.,

Appellants,

741 vs.

City of Tarrant, a Municipal Corporation, et al.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Black took no part in the consideration or decision of this application.

Ross C. Patton,

Petitioner,

162, Misc. vs.

The Baldwin Locomotive Works.

ON CONSIDERATION of the motion for leave to file a petition for rehearing in this case,

IT IS ORDERED by this Court that the said motion be, and it is hereby, denied.

Per Mr. Chief Justice Vinson.

Watchtower Bible Tract Society,

Petitioner,

No. ____ vs.

Metropolitan Life Insurance Co.

ON CONSIDERATION of the motion of petitioner for leave to file the printed record without certification,

IT IS ORDERED by this Court that the said motion be, and it is hereby, granted.

Per Mr. Chief Justice Vinson.

Grace W. Adkins, etc.,

Petitioner,

345, Misc. vs.

E. I. duPont deNemours & Co., Inc.

The Court desires to hear argument upon the questions presented by the motion for leave to proceed in forma pauperis, including the question as to the validity of a contingent fee agreement in connection with a suit brought pursuant to the Fair Labor Standards Act. The motion is assigned for oral argument on Monday, October 18, next.

Per Mr. Chief Justice Vinson.

Barney Fredericksen,

Petitioner,

373, Misc. vs.

Fred Dickson, Acting Warden.

ON CONSIDERATION of the motion to substitute the party respondent in this case,

IT IS ORDERED that James M. Jones, Warden, be substituted as the party respondent in place of Fred Dickson, Acting Warden.

Per Mr. Chief Justice Vinson.

Barney Fredericksen,

Petitioner,

373, Misc. vs.

James M. Jones, Warden.

On petition for writ of certiorari to the Supreme Court of the State of Nebraska.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

James Morrison,

Petitioner,

409, Misc. vs.

People of the State of New York.

On petition for writ of certiorari to the Appellate Division of the Supreme Court of the State of New York, Second Department.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Robert Virgin,
Petitioner,
412, Misc. vs.
The United States of America.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

W. E. Montgomery and Eugene Thomas Booth,
Petitioners,
416, Misc. vs.
The United States of America.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Matthew Miller,
Petitioner,
426, Misc. vs.
Browning Steamship Company.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

William Watkins,

Petitioner,

477, Misc. vs.

State of Indiana.

On petition for writ of certiorari to the Criminal Court of Lake County of the State of Indiana.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

In the Matter of Admiral Dewey Adamson,

Petitioner.

543, Misc.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied. The application for stay of execution of the death sentence is also denied.

Per Mr. Chief Justice Vinson.

The United States of America,

Petitioner,

303, Misc. vs.

United States District Court for the Southern District of New York, et al.

ON CONSIDERATION of the motion for leave to file a petition for writ of mandamus herein,

IT IS ORDERED by this Court that the said motion be, and it is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Murphy and Mr. Justice Jackson took no part in the consideration or decision of this application.

In the Matter of Homer E. Bodenmiller,

Petitioner.

490, Misc.

ON CONSIDERATION of the motion for leave to file a petition for writ of mandamus herein,

IT IS ORDERED by this Court that the said motion be, and it is hereby, denied.

Per Mr. Chief Justice Vinson.

In the Matter of Bruce Pierce,

Petitioner.

528, Misc.

ON CONSIDERATION of the petition submitted by Bruce Pierce,

IT IS ORDERED by this Court that the said petition be, and it is hereby, denied.

Per Mr. Chief Justice Vinson.

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ORDER

The Court will take a recess from today until Monday, June 7, next, on which day it will adjourn for the term unless otherwise ordered.

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Proclamation being made the Court is adjourned until Monday, June 7, next, at 12 o'clock.

Pursuant to adjournment the Court met at the Supreme Court Building.

PRESENT:

The Honorable Fred M. Vinson, Chief Justice,
Hugo L. Black,
Stanley Reed,
Felix Frankfurter,
Frank Murphy,
Robert H. Jackson,
Wiley Rutledge,
Harold H. Burton. Associate Justices.

Thomas Ennalls Waggaman, Esquire, Marshal,

Charles Elmore Cropley, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. John L. McClellan, It is ordered that W. D. McKay, Esquire, of Magnolia, State of Arkansas, and Edward McMahon Anderson, Esquire, of Magnolia, State of Arkansas, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Solicitor General Philip B. Perlman, It is ordered that George N. Denton, Esquire, of Corpus Christi, State of Texas; Donald S. Dawson, Esquire, of Washington, District of Columbia; and Oscar P. Glaser, Esquire, of Washington, District of Columbia, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Homer A. Ramey, It is ordered that Bert P. Hebenstreit, Esquire, of Toledo, State of Ohio, and Brandon Grey Schnorf, Esquire, of Toledo, State of Ohio, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. S. F. Hobbs, It is ordered that Dick Ramsay Thomas, Esquire, of Senatobia, State of Mississippi, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Joe Landon Evins, It is ordered that Otis Homer Ellis, Esquire, of Nashville, State of Tennessee, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Overton Brooks, It is ordered that Thos. W. Leigh, Esquire, of Monroe, State of Louisiana, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. George E. MacKinnon, It is ordered that Arthur Whitten McCauley, Esquire, of Anoka, State of Minnesota, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Marcus A. Hollabaugh, It is ordered that James William Trimble, Esquire, of Berryville, State of Arkansas, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Henry P. Chandler, It is ordered that Wallace S. Schall, Esquire, of Chicago, State of Illinois, and Joseph T. Lavorci, Esquire, of Chicago, State of Illinois, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Frederick Bernays Wiener, It is ordered that Chauncey E. Wheeler, Esquire, of Providence, State of Rhode Island, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Wm. N. Trinkle, It is ordered that Franklin B. MacCarthy, Esquire, of Los Angeles, State of California, and Frank P. Truscott, Esquire, of Philadelphia, Commonwealth of Pennsylvania, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. F. Regis Noel, It is ordered that Milton Winn, Esquire, of New Hope, Commonwealth of Pennsylvania, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Thomas N. Tappy, It is ordered that Kirby M. Gillette, Esquire, of Detroit, State of Michigan, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Louis G. Greenfield, It is ordered that Sidney W. Rothstein, Esquire, of New York, State of New York, and Albert A. Fiok, Esquire, of Pittsburgh, Commonwealth of Pennsylvania, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Herbert Alloway Huebner, It is ordered that Richard Milton Worrel, Esquire, of Fresno, State of California, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. A. L. Emery, It is ordered that Leon L. Askren, Esquire, of Atchison, State of Kansas, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Jennings Bailey, Jr., It is ordered that James Perkins Parker, Esquire, of Jacksonville, State of Florida, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Joseph J. O'Connell, Jr., It is ordered that Stanley Gewirtz, Esquire, of New York, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. James Benjamin Simmons, It is ordered that Sidney P. Wogan, Esquire, of Washington, District of Columbia, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. J. Harold Kilcoyne, It is ordered that Henry J. Savage, Esquire, of Ridgewood, State of New Jersey, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. J. P. Wenchel, It is ordered that Zalman N. Diamond, Esquire, of New York, State of New York, and James R. Offutt, Esquire, of Washington, District of Columbia, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. William Lawrence McGovern, It is ordered that Seymour Krieger, Esquire, of Washington, District of Columbia, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Charles Robert Norberg, It is ordered that Edwin McElwain, Esquire, of Washington, District of Columbia, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Miss Bessie Margolin, It is ordered that Glenn M. Elliott, Esquire, of Memphis, State of Tennessee, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. William P. McKenna, It is ordered that Santi J. Paul, Esquire, of Cranston, State of Rhode Island, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Donald V. Hunter, It is ordered that Edward Joseph Bradley, Esquire, of Chicago, State of Illinois, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Sturgis Warner, It is ordered that Charles C. Glover, III, Esquire, of Washington, District of Columbia, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Donald C. Beelar, It is ordered that Thomas E. Sunderland, Esquire, of New York, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Arthur C. Perry, It is ordered that Theodore R. Robinson, Esquire, of Galveston, State of Texas, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Maurice R. Weeks, It is ordered that Theodore A. Brown, Esquire, of Washington, District of Columbia, and Edward W. Howard, Esquire, of Washington, District of Columbia, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Norman M. Littell, It is ordered that James H. Neu, Esquire, of Washington, District of Columbia, and Vail W. Pischke, Esquire, of Washington, District of Columbia, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Robert L. Stern, It is ordered that Joseph A. Hunoval, Esquire, of Newark, State of New Jersey, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Ralph H. Case, It is ordered that Richard W. Case, Esquire, of Baltimore, State of Maryland, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

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The United States of America, Appellant, vs. National City Lines, Inc., American City Lines, Inc., Pacific Lines, Inc., et al.

544

Appeal from the District Court of the United States for the Southern District of California.

THIS CAUSE came on to be heard on the transcript of the record from the District Court of the United States for the Southern District of California, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is ordered, adjudged, and decreed by this Court that the decree of the said District Court in this cause be, and the same is hereby, reversed; and that this cause be, and the same is hereby, remanded to the District Court for proceedings in conformity with the opinion of this Court.

Per Mr. Justice Rutledge.

Opinion by Mr. Justice Jackson concurring in the result.

Dissenting opinion by Mr. Justice Frankfurter in which Mr. Justice Burton joins.

Joseph Estin, Petitioner, vs. Gertrude Estin.

139

On writ of certiorari to the Court of Appeals of the State of New York.

THIS CAUSE came on to be heard on the transcript of the record from the Court of Appeals of the State of New York, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is ordered and adjudged by this Court that the judgment of the said Court of Appeals, in this cause, be, and the same is hereby, affirmed with costs.

Per Mr. Justice Douglas.

Dissenting opinion by Mr. Justice Frankfurter.

Dissenting opinion by Mr. Justice Jackson.

Louis Kreiger, Petitioner, vs. Helene Kreiger. 371

On writ of certiorari to the Court of Appeals of the State of New York.

THIS CAUSE came on to be heard on the transcript of the record from the Court of Appeals of the State of New York, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is ordered and adjudged by this Court that the judgment of the said Court of Appeals, in this cause, be, and the same is hereby, affirmed with costs.

Per Mr. Justice Douglas.

Dissenting: Mr. Justice Frankfurter and Mr. Justice Jackson.

Samuel Saia, Appellant, vs. The People of the State of New York. 504

Appeal from the Court of Appeals of the State of New York.

THIS CAUSE came on to be heard on the transcript of the record from the Court of Appeals of the State of New York, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is now here ordered and adjudged by this Court that the judgment of the said Court of Appeals, in this cause, be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the Court of Appeals for proceedings not inconsistent with the opinion of this Court.

Per Mr. Justice Douglas.

Dissenting opinion by Mr. Justice Frankfurter in which Mr. Justice Reed and Mr. Justice Burton concur.

Dissenting opinion by Mr. Justice Jackson.

Bay Ridge Operating Co., Inc., Petitioner,

366 vs.

James Aaron, Albert Alston, James Philip Brooks, et al.

On writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

THIS CAUSE came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Second Circuit, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is now here ordered and adjudged by this Court that the judgment of the said United States Circuit Court of Appeals, in this cause, be, and the same is hereby, modified as indicated in the opinion of this Court and, as so modified, affirmed; and that this cause be, and the same is hereby, remanded to the District Court of the United States for the Southern District of New York.

Per Mr. Justice Reed.

Mr. Justice Douglas took no part in the consideration or decision of this case.

Dissenting opinion by Mr. Justice Frankfurter in which Mr. Justice Jackson and Mr. Justice Burton concur.

Huron Stevedoring Corporation, Petitioner,

367 vs.

Leo Blue, Nathaniel Dixon, Christian Elliott, et al.

On writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

THIS CAUSE came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Second Circuit, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is now here ordered and adjudged by this Court that the judgment of the said United States Circuit Court of Appeals, in this cause, be, and the same is hereby, modified as indicated in the opinion of this Court and, as so modified, affirmed; and that this cause be, and the same is hereby, remanded to the District Court of the United States for the Southern District of New York.

Per Mr. Justice Reed.

Mr. Justice Douglas took no part in the consideration or decision of this case.

Dissenting opinion by Mr. Justice Frankfurter in which Mr. Justice Jackson and Mr. Justice Burton concur.

The United States of America, Appellant, vs. Columbia Steel Company, Consolidated Steel Corporation, United States Steel Corporation, et al.

Appeal from the District Court of the United States for the District of Delaware.

461

THIS CAUSE came on to be heard on the transcript of the record from the District Court of the United States for the District of Delaware, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is ordered, adjudged, and decreed by this Court that the decree of the said District Court in this cause be, and the same is hereby, affirmed.

Per Mr. Justice Reed.

Dissenting opinion by Mr. Justice Douglas in which Mr. Justice Black, Mr. Justice Murphy, and Mr. Justice Rutledge concur.

Torao Takahashi, Petitioner, vs. Fish and Game Commission, Lee F. Payne, as Chairman Thereof, et al.

On writ of certiorari to the Supreme Court of the State of California.

533

THIS CAUSE came on to be heard on the transcript of the record from the Supreme Court of the State of California, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is ordered and adjudged by this Court that the judgment of the said Supreme Court, in this cause, be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the Supreme Court of California for proceedings not inconsistent with the opinion of this Court.

Per Mr. Justice Black.

Concurring opinion by Mr. Justice Murphy in which Mr. Justice Rutledge joins.

Dissenting opinion by Mr. Justice Reed in which Mr. Justice Jackson joins.

William Jerome Phyle, Petitioner, vs. Clinton T. Duffy, Warden of the State Prison at San Quentin, State of California. — On writ of certiorari to the Supreme Court of the State of California.

655

THIS CAUSE came on to be heard on the transcript of the record from the Supreme Court of the State of California, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is ordered and adjudged by this Court that the writ of certiorari in this cause, be, and the same is hereby, dismissed.

Per Mr. Justice Black.

Concurring opinion by Mr. Justice Frankfurter in which Mr. Justice Douglas, Mr. Justice Murphy, and Mr. Justice Rutledge join.

Margaret E. Sherrer, Petitioner, vs. Edward C. Sherrer. — On writ of certiorari to the Probate Court for the County of Berkshire, Commonwealth of Massachusetts.

36

THIS CAUSE came on to be heard on the transcript of the record from the Probate Court for the County of Berkshire, Commonwealth of Massachusetts, and the Supreme Judicial Court, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is ordered and adjudged by this Court that the judgment of the Supreme Judicial Court, in this cause, be, and the same is hereby, reversed with costs; and that this cause be, and it is hereby, remanded to the said Supreme Judicial Court for proceedings not inconsistent with the opinion of this Court.

Per Mr. Chief Justice Vinson.

Dissenting opinion by Mr. Justice Frankfurter in which Mr. Justice Murphy concurs.

Martin V. B. Coe,

Petitioner,

37 vs.

Katharine C. Coe.

On writ of certiorari to the Probate Court for the County of Worcester, Commonwealth of Massachusetts.

THIS CAUSE came on to be heard on the transcript of the record from the Probate Court for the County of Worcester, Commonwealth of Massachusetts, and the Supreme Judicial Court, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is ordered and adjudged by this Court that the judgment of the Supreme Judicial Court, in this cause, be, and the same is hereby, reversed with costs on the grounds stated in the opinion of this Court.

IT IS FURTHER ORDERED that this cause be, and it is hereby, remanded to the Supreme Judicial Court for proceedings in conformity with the opinion of this Court.

Per Mr. Chief Justice Vinson.

Dissenting opinion by Mr. Justice Frankfurter in which Mr. Justice Murphy concurs.

Earl J. Toomer, Joseph A. Cesaroni, Joseph DeGracia, et al.,

Appellants,

415 vs.

J. M. Witsell, Edward E. Burroughs, E. L. Sweat, et al., etc.

Appeal from the District Court of the United States for the Eastern District of South Carolina.

THIS CAUSE came on to be heard on the transcript of the record from the District Court of the United States for the Eastern District of South Carolina, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is ordered, adjudged, and decreed by this Court that the decree of the said District Court in this cause be, and the same is hereby, affirmed in part and reversed in part as indicated in the opinion of this Court. One-third of the costs in this Court are to be taxed against appellants and two-thirds against appellees.

IT IS FURTHER ORDERED that this cause be, and the same is hereby, remanded to the District Court for proceedings in conformity with the opinion of this Court.

Per Mr. Chief Justice Vinson.

Mr. Justice Black concurs in the judgment of the Court and all of the opinion except part Fifth.

Concurring opinion by Mr. Justice Frankfurter in which Mr. Justice Jackson joins.

Concurring opinion by Mr. Justice Rutledge.

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The Chief Justice said:

"The orders of the Court appear upon the list certified by the Chief Justice and filed with the Clerk and will not be announced orally."

Thoger Gronberg Jungersen, Petitioner,

776 vs.

Robert Baden, Rose Baden, Albert Foss, et al., etc.

Order allowing certiorari.

The petition herein for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit is granted. The case is consolidated with Nos. 467 and 468 for argument.

And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

Thoger Gronberg Jungersen, Petitioner,

467 vs.

Ostby and Barton Company and American Associates, Inc.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit.

A motion for leave to file a petition for rehearing and petition for rehearing having been submitted in this case;

Upon consideration thereof, it is ordered by this Court that the motion for leave to file and petition for rehearing be, and the same are hereby, granted.

It is further ordered that the order of January 12, 1948, denying certiorari be, and it is hereby, vacated; and that the petition for writ of certiorari herein be, and it is hereby, granted. The case is consolidated with Nos. 468 and 776 for argument.

It is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

Ostby and Barton Company and American Associates, Inc.,

Petitioners,

468 vs.

Thoger Gronberg Jungersen.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit.

A motion for leave to file a petition for rehearing and petition for rehearing having been submitted in this case;

Upon consideration thereof, it is ordered by this Court that the motion for leave to file and petition for rehearing be, and the same are hereby, granted.

It is further ordered that the order of January 12, 1948, denying certiorari be, and it is hereby, vacated; and that the petition for writ of certiorari herein be, and it is hereby, granted. The case is consolidated with Nos. 467 and 776 for argument.

It is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

Elmer Uveges,

Petitioner,

201, Misc. vs.

Commonwealth of Pennsylvania.

On petition for writ of certiorari to the Supreme Court of the Commonwealth of Pennsylvania.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, granted. The case is transferred to the appellate docket as No. 844.

Per Mr. Chief Justice Vinson.

L. D. Harris, Petitioner, vs. State of South Carolina.

503, Misc. On petition for writ of certiorari to the Supreme Court of the State of South Carolina.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, granted and the case is transferred to the appellate docket as No. 845.

It is further ordered that execution of the sentence of death imposed on the petitioner be, and it is hereby, stayed pending the final disposition of the case by this Court.

Per Mr. Chief Justice Vinson.

Interstate Circuit, Inc., Texas Consolidated Theatres, Inc., et al., Petitioners, vs. Tivoli Realty, Inc.

729 On petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Fifth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

C. D. Johnson Lumber Corporation, Petitioner, vs. Oregon Mesabi Corporation.

734 On petition for writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Ninth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

C. D. Johnson Lumber Corporation, Petitioner,
735 vs.
Oregon Mesabi Corporation.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Ninth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Oregon Mesabi Corporation, Petitioner,
736 vs.
C. D. Johnson Lumber Corporation.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Ninth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Oregon Mesabi Corporation, Petitioner,
737 vs.
C. D. Johnson Lumber Corporation.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Ninth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Newton Samuel Locke,
Petitioner,
760 vs.
The United States of America.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Fifth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Amelia Marinitsis, Alias Molly Marinitsis,
Petitioner,
762 vs.
State of West Virginia.

On petition for writ of certiorari to the Supreme Court of Appeals of the State of West Virginia.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of Appeals of the State of West Virginia, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Time, Inc.,
Petitioner,
774 vs.
George W. Hartmann.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Third Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Milton A. Floyd,
Petitioner,
783 vs.
Ring Construction Corporation.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Eighth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Neumaticos Goodyear, S. A.,
Petitioner,
781 vs.
The United States.

On petition for writ of certiorari to The Court of Claims.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Court of Claims and of the argument of counsel thereupon had, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Public Service Commission of the State of New York,
Petitioner,
769 vs.
Securities and Exchange Commission.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Second Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Federal Trade Commission,

Petitioner,

23 vs.

The Cement Institute, et al.;

Federal Trade Commission,

Petitioner,

24 vs.

Aetna Portland Cement Company, et al.;

Federal Trade Commission,

26 vs. Petitioner,

Calaveras Cement Company, et al.;

Federal Trade Commission,

Petitioner,

27 vs.

Huron Portland Cement Company, and

Federal Trade Commission,

Petitioner,

34 vs.

Blaine S. Smith, et al.

A petition for rehearing having been filed in these cases,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas and Mr. Justice Jackson took no part in the consideration or decision of this application.

Federal Trade Commission,

Petitioner,

25 vs.

Marquette Cement Manufacturing Company.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas and Mr. Justice Jackson took no part in the consideration or decision of this application.

Federal Trade Commission,

Petitioner,

28 vs.

Superior Portland Cement, Inc.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas and Mr. Justice Jackson took no part in the consideration or decision of this application.

Federal Trade Commission,

Petitioner,

29 vs.

Northwestern Portland Cement Company.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas and Mr. Justice Jackson took no part in the consideration or decision of this application.

Federal Trade Commission,

Petitioner,

30 vs.

Riverside Cement Company.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas and Mr. Justice Jackson took no part in the consideration or decision of this application.

Federal Trade Commission,

Petitioner,

31 vs.

Universal Atlas Cement Company.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas and Mr. Justice Jackson took no part in the consideration or decision of this application.

Federal Trade Commission,

Petitioner,

32 vs.

California Portland Cement Company.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas and Mr. Justice Jackson took no part in the consideration or decision of this application.

Lewis Montague,

Petitioner,

219 vs.

Charles Henry Smith, et al.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

The London Extension Mining Company,

Petitioner,

693 vs.

Commissioner of Internal Revenue.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Harrison Parker,

Petitioner,

428 vs.

People of the State of Illinois.

The petition for rehearing is denied. Statement by Mr. Justice Jackson: "A litigant, apparently in good faith, raises objection to my participation in decision of his case, basing his objection upon statements which, if true, might reasonably lead him to believe himself justified in making the challenge. It seems appropriate to set the record straight.

In applying for a rehearing petitioner says:

> 'Prior to his elevation to the Supreme Court of the United States, JUSTICE JACKSON was the general counsel for Mr. Terry Druggan. Mr. Weymouth Kirkland was the associate counsel with JUSTICE JACKSON in the large money affairs of Mr. Druggan.' He adds that he is informed that for these reasons I 'had succeeded in dividing the U. S. Supreme Court against this defenseless petitioner.'

The facts are that I never have been general counsel or counsel of

any character for any person named Terry Druggan, never to my knowledge saw or met such a person, do not know who he might be, where he resides or what his affairs consist of. Neither in this nor in any other matter was I ever associated professionally with Mr. Weymouth Kirkland, nor has he at any time communicated directly or indirectly with me concerning this case or any other matter pending in this or any other Court."

Mr. Justice Black, Mr. Justice Douglas, Mr. Justice Murphy, and Mr. Justice Rutledge having voted to reverse the judgment of conviction, vote to grant the petition for rehearing.

Sikora Realty Corporation,

Petitioner,

563 vs.

Tighe E. Woods, Housing Expediter, etc.

ON CONSIDERATION of the motion for leave to file a petition for rehearing and of the petition for rehearing,

IT IS ORDERED by this Court that the motion for leave to file be, and it is hereby, granted; and that the petition for rehearing be, and it is hereby, denied.

Per Mr. Chief Justice Vinson.

Rocco Taurisano,

Petitioner,

226, Misc. vs.

People of the State of New York.

ON CONSIDERATION of the motion for leave to file a petition for rehearing and of the petition for rehearing,

IT IS ORDERED by this Court that the motion for leave to file be, and it is hereby, granted; and that the petition for rehearing be, and it is hereby, denied.

Per Mr. Chief Justice Vinson.

James J. O'Loughlin,

Petitioner,

326, Misc. vs.

E. V. Parker, Deputy Commissioner, etc.

ON CONSIDERATION of the motion for leave to file a second petition for rehearing in this case,

IT IS ORDERED by this Court that the said motion be, and it is hereby, denied.

Per Mr. Chief Justice Vinson.

John Dwyer,

Petitioner,

383, Misc. vs.

People of the State of Illinois.

On petition for writ of certiorari to the Supreme Court of the State of Illinois.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

John Peel,

Petitioner,

420, Misc. vs.

Joseph E. Ragen, Warden.

On petition for writ of certiorari to the Circuit Court of Will County of the State of Illinois.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Edward L. Berry,
Petitioner,
441, Misc. vs.
Joseph E. Ragen, Warden.

On petition for writ of certiorari to the Circuit Court of Will County of the State of Illinois.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Cecil Robert Wilson,
Petitioner,
459, Misc. vs.
The United States of America.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Wright Harris,
Petitioner,
519, Misc. vs.
City of New York.

ON CONSIDERATION of the application submitted herein by Wright Harris,

IT IS ORDERED by this Court that the said application be, and it is hereby, denied.

Per Mr. Chief Justice Vinson.

In the Matter of Fred Wallace Bantz.

525, Misc.

ON CONSIDERATION of the application submitted herein by Fred Wallace Bantz,

IT IS ORDERED by this Court that the said application be, and it is hereby, denied.

Per Mr. Chief Justice Vinson.

In the Matter of Josef Ehlen, et al.; and

526, Misc.

In the Matter of Richard Fritz Girke, et al.

527, Misc.

TREATING the application in each of these cases as a motion for leave to file a petition for an original writ of habeas corpus,

It is ordered by this Court that leave to file be, and it is hereby, denied.

Per Mr. Chief Justice Vinson.

The Chief Justice, Mr. Justice Reed, Mr. Justice Frankfurter, and Mr. Justice Burton are of the opinion that there is want of jurisdiction.

Mr. Justice Black, Mr. Justice Douglas, Mr. Justice Murphy, and Mr. Justice Rutledge are of the opinion that the motions for leave to file should be granted and that the cases should be set for argument forthwith.

Mr. Justice Jackson took no part in the consideration or decision of these applications.

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ORDER

The Court will take a recess from today until Monday, June 14, next, on which day it will adjourn for the term unless otherwise ordered.

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Proclamation being made the Court is adjourned until Monday, June 14, next, at 12 o'clock.

MONDAY, JUNE 14, 1948.

Pursuant to adjournment the Court met at the Supreme Court Building.

PRESENT:

The Honorable Fred M. Vinson, Chief Justice,
Hugo L. Black,
Stanley Reed,
Felix Frankfurter,
Frank Murphy,
Robert H. Jackson,
Wiley Rutledge,
Harold H. Burton. Associate Justices.

Thomas Ennalls Waggaman, Esquire, Marshal,
Charles Elmore Cropley, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Solicitor General Philip B. Perlman, It is ordered that J. Warren Wilson, Esquire, of Washington, District of Columbia; W. Howes Meade, Esquire, of Paintsville, Commonwealth of Kentucky; Stanley L. Temko, Esquire, of New York, State of New York; and J. Linwood Kenner, Esquire, of Louisville, Commonwealth of Kentucky, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Jas. C. Davis, It is ordered that James Gardner Lambert, Esquire, of Atlanta, State of Georgia, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Robert Hale, It is ordered that Fred John Mclaugh, Jr., Esquire, of Portland, State of Maine, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Joe Landon Evins, It is ordered that Robert Leslie Bass, Esquire, of Knoxville, State of Tennessee, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Henry F. Ashurst, It is ordered that Perry M. Ling, Esquire, of Phoenix, State of Arizona, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Wesley E. Disney, It is ordered that Carl M. Livingston, Esquire, of Tulsa, State of Oklahoma, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Tom Connally, It is ordered that H. S. Beard, Esquire, of Waco, State of Texas, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. George Bowdoin Craighill, Jr., It is ordered that G. A. Chadwick, Jr., Esquire, of Washington, District of Columbia, and Vernon Murphy, Esquire, of New York, State of New York, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Henderson H. Carson, It is ordered that Dorothy Patterson Sayre, of Canton, State of Ohio, and Arthur Addison Sayre, Esquire, of Canton, State of Ohio, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly. (Mrs.)

On motion first made to the Court in this behalf by Mr. Frederick Bernays Wiener, It is ordered that Samuel Everett Wilkins, Jr., Esquire, of Providence, State of Rhode Island, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Elmer E. Metz, It is ordered that Thomas Lisi, Esquire, of Providence, State of Rhode Island, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Edward W. Howard, It is ordered that William P. Tanner, Esquire, of New York, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Robert Hugh Sproul, It is ordered that Vincent S. Lamb, Esquire, of Boston, Commonwealth of Massachusetts, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Bryan L. Rakestraw, It is ordered that Martin Menter, Esquire, of Syracuse, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Dan R. Schwartz, It is ordered that Edward T. Shableski, Esquire, of Chicago, State of Illinois, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. John F. Miller, It is ordered that Charles Asbell, Esquire, of Henderson, Commonwealth of Kentucky, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Edwin A. Mooers, It is ordered that Wm. J. Chisholm, Esquire, of Washington, District of Columbia, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Charles Effingham Smoot, It is ordered that Edward E. Reinhold, Esquire, of Washington, District of Columbia, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. John P. Frank, It is ordered that Lane Mitchell Smith, Esquire, of Atlanta, State of Georgia, and Lemuel H. Matthews, Esquire, of San Francisco, State of California, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. F. Trowbridge vom Baur, It is ordered that Ben White Einzig, Esquire, of Sherman Oaks, State of California, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Max Goldman, It is ordered that Dee W. Pincock, Esquire, of Washington, District of Columbia, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Charles Lyon Beckley, It is ordered that Irving Maness, Esquire, of New York, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Walter A. Rochow, It is ordered that Hugo V. Prucha, Esquire, of Cleveland, State of Ohio, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. John A. Eckler, It is ordered that Cecile J. Shapiro, of Columbus, State of Ohio, be admitted to practice as an Attorney and Counsellor of this Court, and she was sworn accordingly. (Miss)

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Jacob Lichter and Jennie L. Lichter, Individually and as Co-partners, Doing Business as Southern Fireproofing Company, a Co-partnership,

Petitioners,

105 vs.

The United States of America.

On writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit.

THIS CAUSE came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Sixth Circuit, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is now here ordered and adjudged by this Court that the judgment of the said United States Circuit Court of Appeals, in this cause, be, and the same is hereby, affirmed; and that this cause be, and the same is hereby, remanded to the District Court of the United States for the Southern District of Ohio.

Per Mr. Justice Burton.

Mr. Justice Murphy concurs in the result.

Dissenting: Mr. Justice Jackson.

Opinion by Mr. Justice Douglas dissenting in part.

A. V. Pownall, Grace M. Pownall and Henes-Morgan Machinery Company, Ltd., etc.,

Petitioners,

74 vs.

The United States of America.

On writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit.

THIS CAUSE came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Ninth Circuit, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is now here ordered and adjudged by this Court that the judgment of the said United States Circuit Court of Appeals, in this cause, be, and the same is hereby, affirmed; and that this cause be, and the same is hereby, remanded to the District Court of the United States for the Southern District of California.

Per Mr. Justice Burton.

Mr. Justice Murphy and Mr. Justice Jackson concur in the result.

Alexander Wool Combing Company, Petitioner,

95 vs.

The United States of America.

On writ of certiorari to the United States Circuit Court of Appeals for the First Circuit.

THIS CAUSE came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the First Circuit, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is now here ordered and adjudged by this Court that the judgment of the said United States Circuit Court of Appeals, in this cause, be, and the same is hereby, affirmed; and that this cause be, and the same is hereby, remanded to the District Court of the United States for the District of Massachusetts.

Per Mr. Justice Burton.

Mr. Justice Murphy concurs in the result.

Dissenting: Mr. Justice Jackson.

Francis Joseph Gryger, Petitioner,

541 vs.

C. J. Burke, Warden, Eastern State Penitentiary, Philadelphia, Pennsylvania.

On writ of certiorari to the Supreme Court of the Commonwealth of Pennsylvania.

THIS CAUSE came on to be heard on the transcript of the record from the Supreme Court of the Commonwealth of Pennsylvania, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is ordered and adjudged by this Court that the judgment of the said Supreme Court, in this cause, be, and the same is hereby, affirmed.

Per Mr. Justice Jackson.

Dissenting opinion by Mr. Justice Rutledge in which Mr. Justice Black, Mr. Justice Douglas, and Mr. Justice Murphy join.

Frank Townsend, Petitioner, vs. C. J. Burke, Warden, Eastern State Penitentiary, Philadelphia, Pennsylvania.

542

On writ of certiorari to the Supreme Court of the Commonwealth of Pennsylvania.

THIS CAUSE came on to be heard on the transcript of the record from the Supreme Court of the Commonwealth of Pennsylvania, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is ordered and adjudged by this Court that the judgment of the said Supreme Court, in this cause, be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the Supreme Court of Pennsylvania for proceedings not inconsistent with the opinion of this Court.

Per Mr. Justice Jackson.

Dissenting: The Chief Justice, Mr. Justice Reed, and Mr. Justice Burton.

Donald Wade, Petitioner, vs. Nathan Mayo, as State Prison Custodian of the State of Florida.

40

On writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit.

THIS CAUSE came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Fifth Circuit, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is now here ordered and adjudged by this Court that the judgment of the said United States Circuit Court of Appeals, in this cause, be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the District Court of the United States for the Southern District of Florida for proceedings in conformity with the opinion of this Court.

Per Mr. Justice Murphy.

Dissenting opinion by Mr. Justice Reed in which the Chief Justice, Mr. Justice Jackson, and Mr. Justice Burton join.

Jack Trupiano, Romildo Riccardelli, Anthony Antoniole and Riordan J. A. Roett, Jr.,

Petitioners,

427 vs.

The United States of America.

On writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit.

THIS CAUSE came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Third Circuit, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is now here ordered and adjudged by this Court that the judgment of the said United States Circuit Court of Appeals, in this cause, be, and the same is hereby, reversed; and that this cause be, and the same is hereby, remanded to the District Court of the United States for the District of New Jersey for proceedings in conformity with the opinion of this Court.

Per Mr. Justice Murphy.

Dissenting opinion by Mr. Chief Justice Vinson in which Mr. Justice Black, Mr. Justice Reed, and Mr. Justice Burton concur.

Mary Morton West, Osage Allottee No. 192,

Appellant,

489 vs.

Oklahoma Tax Commission.

Appeal from the Supreme Court of the State of Oklahoma.

THIS CAUSE came on to be heard on the transcript of the record from the Supreme Court of the State of Oklahoma, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court, in this cause, be, and the same is hereby, affirmed with costs.

Per Mr. Justice Murphy.

Dissenting: The Chief Justice, Mr. Justice Frankfurter, and Mr. Justice Douglas.

Floyd O. Yarbrough, Executor of the Estate of Dora Neal Rector, Osage Allottee, No. 626, Deceased, et al., Appellants,

vs.

Oklahoma Tax Commission.

Appeal from the Supreme Court of the State of Oklahoma.

490

It appearing to the Court that counsel for the respective parties have filed a stipulation in the above entitled cause providing that the judgment in this case shall abide the judgment in the case of Mary Morton West, Appellant vs. Oklahoma Tax Commission, No. 489; and this Court having affirmed the judgment of the Supreme Court of Oklahoma in case No. 489 on June 14, 1948;

It is, pursuant to said stipulation, ordered and adjudged by this Court that the judgment of the Supreme Court of Oklahoma in this cause, be, and it is hereby, affirmed with costs.

Per Mr. Chief Justice Vinson.

The United States, Petitioner,

vs.

John J. Felin & Co., Inc.

On writ of certiorari to the Court of Claims.

17

THIS CAUSE came on to be heard on the transcript of the record from the Court of Claims, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is ordered and adjudged by this Court that the judgment of the said Court of Claims in this cause, be, and the same is hereby, reversed.

IT IS FURTHER ORDERED that this cause be, and the same is hereby, remanded to the Court of Claims with directions to enter a judgment for the respondent in an amount not exceeding $12,556.25 with interest on the amount of $25,112.50 from March 3, 1943, the date of the requisition, to May 22, 1943, the date of the final award made by the Director of Food Distribution Administration.

Per Mr. Justice Frankfurter.

Opinion by Mr. Justice Reed concurring in the judgment in which Mr. Justice Black and Mr. Justice Murphy join.

Concurring opinion by Mr. Justice Rutledge.

Dissenting opinion by Mr. Justice Jackson in which Mr. Justice Douglas joins.

Central Greyhound Lines, Inc., of New York,

Appellant,

14 vs.

Carroll E. Mealey, John F. Hennessey and Joseph M. Mesnig, Constituting the State Tax Commission of the State of New York.

Appeal from the Court of Appeals of the State of New York.

THIS CAUSE came on to be heard on the transcript of the record from the Court of Appeals of the State of New York, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is now here ordered and adjudged by this Court that the judgment of the said Court of Appeals, in this cause, be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the Court of Appeals for further proceedings not inconsistent with the opinion of this Court.

Per Mr. Justice Frankfurter.

Dissenting opinion by Mr. Justice Murphy in which Mr. Justice Black and Mr. Justice Douglas concur.

The United States of America,

Petitioner,

432 vs.

Tillie Zazove.

On writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit.

THIS CAUSE came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Seventh Circuit, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is now here ordered and adjudged by this Court that the judgment of the said United States Circuit Court of Appeals, in this cause, be, and the same is hereby, reversed; and that this cause be, and the same is hereby, remanded to the District Court of the United States for the Northern District of Illinois for proceedings in conformity with the opinion of this Court.

Per Mr. Chief Justice Vinson.

Donald Loftus,

Petitioner,

59 vs.

People of the State of Illinois.

O R D E R

It is ordered that this cause be continued for an appropriate period to enable this Court to be advised without ambiguity whether the Illinois Supreme Court intended to rest the judgment herein on an adequate independent State ground or whether decision of the claim under the Fourteenth Amendment was necessary to the judgment rendered.

Per Mr. Chief Justice Vinson.

Mr. Justice Black and Mr. Justice Douglas are of the opinion that the judgment should be reversed.

Chester Hedgebeth, Petitioner,

674 vs.

State of North Carolina.

On writ of certiorari to the Supreme Court of the State of North Carolina.

THIS CAUSE came on to be heard on the transcript of the record from the Supreme Court of the State of North Carolina, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is ordered and adjudged by this Court that the writ of certiorari in this cause, be, and the same is hereby, dismissed.

Per Mr. Chief Justice Vinson.

Dissenting: Mr. Justice Douglas.

Mr. Justice Rutledge is of the opinion that the judgment should be reversed.

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The Chief Justice announced the following order of the Court:

Lincoln Electric Company, Appellant, vs. James V. Forrestal, Secretary of National Defense, et al.

320

Appeal from the District Court of the United States for the District of Columbia.

THIS CAUSE came on to be heard on the transcript of the record from the District Court of the United States for the District of Columbia, and was duly submitted.

ON CONSIDERATION WHEREOF, It is ordered, adjudged, and decreed by this Court that the decree of the said District Court in this cause be, and the same is hereby, affirmed.

Per Mr. Chief Justice Vinson.

Mr. Justice Burton took no part in the consideration or decision of this case.

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The Chief Justice said:

"The other orders of the Court appear upon the list certified by the Chief Justice and filed with the Clerk and will not be announced orally."

Andrew Upshaw, Petitioner, vs. The United States of America.

524, Misc.

On petition for writ of certiorari to the United States Court of Appeals for the District of Columbia.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, granted. The case is transferred to the appellate docket as No. 870 and placed on the summary docket.

Estate of Charles Nathan, Rose N. Straus, Executrix,
Petitioner,
77 vs.
Commissioner of Internal Revenue.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Seventh Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Commonwealth of Kentucky,
Petitioner,
592 vs.
Illinois Central Railroad Company.

On petition for writ of certiorari to the Court of Appeals of the Commonwealth of Kentucky.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Court of Appeals of the Commonwealth of Kentucky, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Robert V. McRae,
Petitioner,
747 vs.
State of California.

On petition for writ of certiorari to the Supreme Court of the State of California.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of California, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Edward K. Barsky, et al., Petitioners,
766 vs.
The United States of America.

On petition for writ of certiorari to the United States Court of Appeals for the District of Columbia.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the District of Columbia, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Fred Stein and Bernard Stein, Petitioners,
772 vs.
The United States of America.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Ninth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

William Sinnott and Reuben Schuler, Petitioners,
773 vs.
State of South Dakota.

On petition for writ of certiorari to the Supreme Court of the State of South Dakota.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of South Dakota, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Land O'Lakes Dairy Company,
Petitioner,
777 vs.
Village of Sebeka, et al.

On petition for writ of certiorari to the Supreme Court of the State of Minnesota.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of Minnesota, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Nate S. Shapero,
Petitioner,
779 vs.
Commissioner of Internal Revenue.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Sixth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Whitin Machine Works, a Corporation,
Petitioner,
784 vs.
William G. Reynolds, Edgar A. Terrell and the Terrell Machine Company.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Fourth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

National Garment Company,
Petitioner,
785 vs.
National Labor Relations Board.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Eighth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Trust Company of Chicago, a Corporation, as Administrator of the Estate of Peter Anastis,
Petitioner,
787 vs.
Erie Railroad Company.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Seventh Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

William C. Chick and Mabel C. Foss,
Petitioners,
788 vs.
Commissioner of Internal Revenue.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the First Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the First Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Lily Ho Quon and Albert T. Quon, Petitioners,
vs.
Commissioner of Internal Revenue.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit.

791

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Ninth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Vail Manufacturing Company, Petitioner,
vs.
National Labor Relations Board.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit.

794

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Seventh Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Milwaukee Mechanics' Insurance Company, Petitioner,
vs.
William B. MacDonald and Victoria MacDonald, Doing Business as Elcar Coach.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit.

795

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Seventh Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Margaret Ellis Anderson,
Petitioner,
798 vs.
Provident Life and Accident Insurance Company.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Fourth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Coca-Cola Bottling Company of Greenville, South Carolina,
Petitioner,
799 vs.
Provident Life and Accident Insurance Company.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Fourth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Coca-Cola Bottling Company of Greenville, South Carolina,
Petitioner,
800 vs.
Provident Life and Accident Insurance Company.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Fourth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Walter G. Hougland, Jr., Petitioner,

801 vs.

Commissioner of Internal Revenue.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Sixth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

General Time Instruments Corporation, Petitioner,

809 vs.

The United States Time Corporation.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Second Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Pittsburgh-Des Moines Steel Company, a Copartnership, et al., Petitioners,

814 vs.

Eileen Moran, Administratrix of the Estate of Patrick J. Moran, Deceased.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Third Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

The Gem Jewelry Company,
Petitioner,
815 vs.
Commissioner of Internal Revenue.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Fifth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

John Vanneck and Paul C. Moran, as Trustees Under the Last Will and Testament of Marion P. Brookman, Deceased,
Petitioners,
842 vs.
Securities and Exchange Commission, et al.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Third Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Gabriel Caplan and Others, on Behalf of Themselves and All Debenture-Holders of American Gas and Power Company, Similarly Situated,
Petitioners,
843 vs.
Securities and Exchange Commission, et al.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Third Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Kenneth Romney,
Petitioner,
755 vs.
The United States of America.

On petition for writ of certiorari to the United States Court of Appeals for the District of Columbia.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the District of Columbia, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Justice Black.

The Chief Justice took no part in the consideration or decision of this application.

Celia A. Huggins, etc.,
Petitioner,
813 vs.
Melvin Toomer, et ux.

ON CONSIDERATION of the motion to extend the time within which to serve printed papers in this case,

IT IS ORDERED by this Court that the said motion be, and it is hereby, denied.

Per Mr. Chief Justice Vinson.

Celia A. Huggins, etc.,
Petitioner,
813 vs.
Melvin Toomer, et ux.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Fourth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Minniola O. Miller,

Petitioner,

690 vs.

The United States of America, et al.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

William H. Redding,

Appellant,

754 vs.

City of Los Angeles, Hon. Fletcher Bowron, Mayor Thereof, et al.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

John Harry McGough,

Petitioner,

506, Misc. vs.

The United States of America.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

John Richardson, Petitioner, vs. Joseph E. Ragen, Warden.

66, Misc.

On petition for writ of certiorari to the Criminal Court of Cook County of the State of Illinois.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Bruno Palulis, Petitioner, vs. Joseph E. Ragen, Warden.

141, Misc.

On petition for writ of certiorari to the Circuit Court of Will County of the State of Illinois.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Fred Hines, Petitioner, vs. People of the State of Illinois.

254, Misc.

On petition for writ of certiorari to the Supreme Court of the State of Illinois.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Abraham Grimm,
Petitioner,
510, Misc. vs.
Walter Nierstheimer, Warden.

On petition for writ of certiorari to the Circuit Court of Jefferson County of the State of Illinois.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Marvin E. Bennett,
Petitioner,
379, Misc. vs.
Ben B. Stewart, Warden.

On petition for writ of certiorari to the Supreme Court of the State of Missouri.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

John W. Morton,
Petitioner,
418, Misc. vs.
E. J. Welch, Superintendent.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Fourth Circuit.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Edgar Lee Rawls, Petitioner, vs. The United States of America. — On petition for writ of certiorari to the United States Circuit Court of Appeals for the Tenth Circuit.

429, Misc.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Emory Speer King, Petitioner, vs. The United States of America. — On petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit.

431, Misc.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Henry L. Wilson, Petitioner, vs. People of the State of Illinois. — On petition for writ of certiorari to the Supreme Court of the State of Illinois.

447, Misc.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Richard Clarence Willis, Petitioner, vs. Walter A. Hunter, Warden. — On petition for writ of certiorari to the United States Circuit Court of Appeals for the Tenth Circuit.

448, Misc.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Sibrand Bloom, Petitioner, vs. Joseph E. Ragen, Warden. — On petition for writ of certiorari to the Circuit Court of Lake County of the State of Illinois.

449, Misc.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

John Kill, Petitioner, vs. Joseph E. Ragen, Warden. — On petition for writ of certiorari to the Supreme Court of the State of Illinois.

450, Misc.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mrs. Kenneth S. Gann, et al., Petitioners, vs. Mrs. Willie B. Meek. — On petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit.

451, Misc.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

William Kemmerer, Petitioner, vs. Ralph E. Benson, Warden. — On petition for writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit.

452, Misc.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

John E. Ward, Petitioner, vs. Robert A. Heinze, Warden. — On petition for writ of certiorari to the Supreme Court of the State of California.

453, Misc.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

John Moore,
Petitioner,
454, Misc. vs.
The United States of America.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Ole A. Brictson,
Petitioner,
462, Misc. vs.
Joseph W. Woodrough, et al.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Charles Hanson,
Petitioner,
464, Misc. vs.
Joseph E. Ragen, Warden.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Hubert C. Davis, Petitioner, vs. The United States of America. 470, Misc. — On petition for writ of certiorari to the United States Court of Appeals for the District of Columbia.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Harry C. Kelly, Petitioner, vs. P. J. Squier, Warden. 473, Misc. — On petition for writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Allen Dixon, Petitioner, vs. People of the State of Illinois. 476, Misc. — On petition for writ of certiorari to the Supreme Court of the State of Illinois.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

John Gray, et al., Petitioners, vs. Arthur Bracey, et al. — On petition for writ of certiorari to the Supreme Court of the State of California.

485, Misc.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

David Joseph Watson, Petitioner, vs. The United States of America. — On petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit.

487, Misc.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Sam Richard Shockley, Petitioner, vs. The United States of America. — On petition for writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit.

492, Misc.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Miran Edgar Thompson, Petitioner,
495, Misc. vs.
The United States of America.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Angelo Fazio and Charles Piacentino, Petitioners,
498, Misc. vs.
People of the State of New York.

On petition for writ of certiorari to the County Court of Kings County of the State of New York.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Coy Thompson, Petitioner,
499, Misc. vs.
Walter Nierstheimer, Warden.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

George Cole and George Hicks, Petitioners, vs. The State of New Jersey.

500, Misc.

On petition for writ of certiorari to the Court of Errors and Appeals of the State of New Jersey.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Lawson Odell, Petitioner, vs. R. H. Hudspeth, Warden.

510, Misc.

On petition for writ of certiorari to the Supreme Court of the State of Kansas.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Frank J. Calderbank, Petitioner, vs. Commonwealth of Pennsylvania.

513, Misc.

On petition for writ of certiorari to the Supreme Court of the Commonwealth of Pennsylvania.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Ernest William Howell, Petitioner, vs. James M. Jones, Warden. — On petition for writ of certiorari to the Supreme Court of the State of Nebraska.

514, Misc.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Roy M. Johnson, Petitioner, vs. Ben B. Stewart, Warden. — On petition for writ of certiorari to the Supreme Court of the State of Missouri.

515, Misc.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Gilbert Asbell, Petitioner, vs. Ben B. Stewart, Warden. — On petition for writ of certiorari to the Supreme Court of the State of Missouri.

518, Misc.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Bert E. Kalan, Petitioner, vs. Mildred D. Kalan. — On petition for writ of certiorari to the Court of Appeals of the State of New York.

520, Misc.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

William Reed, Petitioner, vs. Joseph E. Ragen, Warden. — On petition for writ of certiorari to the Criminal Court of Cook County of the State of Illinois.

521, Misc.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Arthur Robinson, Petitioner, vs. Joseph E. Ragen, Warden. — On petition for writ of certiorari to the Circuit Court of Will County of the State of Illinois.

522, Misc.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Melvin Lewis Elliott, Petitioner, 523, Misc. vs. R. H. Hudspeth, Warden. — On petition for writ of certiorari to the Supreme Court of the State of Kansas.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Joseph McElligott, Petitioner, 530, Misc. vs. C. J. Burke, Warden. — On petition for writ of certiorari to the Supreme Court of the Commonwealth of Pennsylvania.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Bernie A. Beason, Petitioner, 531, Misc. vs. Ben B. Stewart, Warden. — On petition for writ of certiorari to the Supreme Court of the State of Missouri.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Everett C. Lyle, Petitioner, vs. Ben B. Stewart, Warden. — On petition for writ of certiorari to the Supreme Court of the State of Missouri.

532, Misc.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Joe Washington, Petitioner, vs. Joseph E. Ragen, Warden. — On petition for writ of certiorari to the Circuit Court of Will County of the State of Illinois.

533, Misc.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

John O. Story, Petitioner, vs. State of Oklahoma. — On petition for writ of certiorari to the Criminal Court of Appeals of the State of Oklahoma.

534, Misc.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Harry Meyers, Petitioner, vs. Joseph E. Ragen, Warden. — On petition for writ of certiorari to the Circuit Court of Will County of the State of Illinois.

535, Misc.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Tyree Holloway, Petitioner, vs. The United States of America. — On petition for writ of certiorari to the United States Court of Appeals for the District of Columbia.

536, Misc.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

T. C. Jones, Petitioner, vs. Joseph E. Ragen, Warden. — On petition for writ of certiorari to the Criminal Court of Cook County of the State of Illinois.

537, Misc.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Victor Brown, Petitioner, vs. State of Missouri.

539, Misc.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Ralph O. Lucas, Petitioner, vs. State of Texas.

540, Misc.

On petition for writ of certiorari to the Court of Criminal Appeals of the State of Texas.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

James B. Farnsworth, Petitioner, vs. State of Maryland.

542, Misc.

On petition for writ of certiorari to the Supreme Bench of Baltimore City of the State of Maryland.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Roy M. Turner, Petitioner, On petition for writ of certiorari to the Supreme Court of the State of Missouri.

546, Misc. vs.

State of Missouri.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

James Hawley, Petitioner, On petition for writ of certiorari to the Supreme Court of the State of Illinois.

547, Misc. vs.

State of Illinois.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Jack William Shaffer, Petitioner, On petition for writ of certiorari to the Supreme Court of the State of Illinois.

549, Misc. vs.

The People of the State of Illinois.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

James P. Haughey, Petitioner,
550, Misc. vs.
W. Frank Smyth, Jr., Superintendent.

On petition for writ of certiorari to the Supreme Court of Appeals of the Commonwealth of Virginia.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Joseph A. Farrell, Petitioner,
551, Misc. vs.
Francis J. W. Lanagan, Warden.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the First Circuit.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Herbert H. Hall, Petitioner,
553, Misc. vs.
The United States of America.

On petition for writ of certiorari to the United States Court of Appeals for the District of Columbia.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Joe M. Gray, Petitioner, vs. The United States of America. — On petition for writ of certiorari to the United States Court of Appeals for the District of Columbia.

554, Misc.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied for the reason that application therefor was not made within the time provided by law. Rule 37(b)(2) of the Rules of Criminal Procedure.

Per Mr. Chief Justice Vinson.

Hughes R. Hilliard, Petitioner, vs. The United States of America. — On petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit.

320, Misc.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied. The motions for other relief are also denied.

Per Mr. Chief Justice Vinson.

Jack Smith, Petitioner, vs. R. H. Hudspeth, Warden. — On petition for writ of certiorari to the Supreme Court of the State of Kansas.

491, Misc.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Jack Smith,

Petitioner,

491, Misc. vs.

R. H. Hudspeth, Warden.

ON CONSIDERATION of the motion for leave to file a petition for writ of habeas corpus herein,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Rocco Trimarco,

Petitioner,

529, Misc. vs.

Joseph E. Ragen, Warden.

On petition for writ of certiorari to the Circuit Court of Will County, State of Illinois.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Rocco Trimarco,

Petitioner,

529, Misc. vs.

Joseph E. Ragen, Warden.

ON CONSIDERATION of the motion for leave to file a petition for writ of habeas corpus herein,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Salvatore Didato,

Petitioner,

245, Misc. vs.

Francis C. Shaw, Director.

ON CONSIDERATION of the motion for leave to file a petition for writ of habeas corpus herein,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Fred Tate,

Petitioner,

507, Misc. vs.

Robert A. Heinze, Warden.

ON CONSIDERATION of the motion for leave to file a petition for writ of habeas corpus herein,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Albert Baker,

Petitioner,

509, Misc. vs.

L. F. Utecht, Warden.

ON CONSIDERATION of the motion for leave to file a petition for writ of habeas corpus herein,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mary A. Ruthven,

Petitioner,

541, Misc. vs.

Dr. Winfred Overholser, Superintendent.

ON CONSIDERATION of the motion for leave to file a petition for writ of habeas corpus herein,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Lawrence W. Gallaway,

Petitioner,

544, Misc. vs.

State of Michigan.

ON CONSIDERATION of the motion for leave to file a petition for writ of habeas corpus herein,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

John Stoker,

Petitioner,

548, Misc. vs.

Joseph E. Ragen, Warden.

ON CONSIDERATION of the motion for leave to file a petition for writ of habeas corpus herein,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Paul D. Petro,

Petitioner,

566, Misc. vs.

Robert A. Heinze, Warden.

ON CONSIDERATION of the motion for leave to file a petition for writ of habeas corpus herein,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Chester McCullum,

Petitioner,

364, Misc. vs.

People of the State of Illinois.

ON CONSIDERATION of the application submitted herein by Chester McCullum,

IT IS ORDERED by this Court that the said application be, and it is hereby, denied.

Per Mr. Chief Justice Vinson.

Gene McCann,

Petitioner,

480, Misc. vs.

Tom C. Clark, Attorney General.

ON CONSIDERATION of the motion for leave to file a petition for writ of certiorari herein,

IT IS ORDERED by this Court that the said motion be, and it is hereby, denied.

Per Mr. Chief Justice Vinson.

In the Matter of James Wiley Hudson.

508, Misc.

ON CONSIDERATION of the petition submitted herein by James Wiley Hudson,

IT IS ORDERED by this Court that the said petition be, and it is hereby, denied.

Per Mr. Chief Justice Vinson.

In the Matter of Douglas Hult.

517, Misc.

ON CONSIDERATION of the motion for leave to file a petition for writ of mandamus herein,

IT IS ORDERED by this Court that the said motion be, and it is hereby, denied.

Per Mr. Chief Justice Vinson.

Thomas Fife,

Petitioner,

538, Misc. vs.

Joseph E. Ragen, Warden.

ON CONSIDERATION of the petition submitted herein by Thomas Fife,

IT IS ORDERED by this Court that the said petition be, and it is hereby, denied.

Per Mr. Chief Justice Vinson.

Howard Walker,

Petitioner,

545, Misc. vs.

State of Maryland.

ON CONSIDERATION of the petition submitted herein by Howard Walker,

IT IS ORDERED by this Court that the said petition be, and it is hereby, denied.

Per Mr. Chief Justice Vinson.

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ORDER

The Court will take a recess from today until Monday, June 21, next, on which day it will adjourn for the term unless otherwise ordered.

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Proclamation being made the Court is adjourned until Monday, June 21, next, at 12 o'clock.

Pursuant to adjournment the Court met at the Supreme Court Building.

PRESENT:

The Honorable Fred M. Vinson, Chief Justice,
Hugo L. Black,
Stanley Reed,
Felix Frankfurter,
Frank Murphy,
Robert H. Jackson,
Wiley Rutledge,
Harold H. Burton. Associate Justices.

Thomas Ennalls Waggaman, Esquire, Marshal,

Charles Elmore Cropley, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Guy Cordon, It is ordered that John Hubert Hall, Esquire, of Portland, State of Oregon, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Solicitor General Philip B. Perlman, It is ordered that James Joseph Shepard, Jr., Esquire, of Kansas City, State of Missouri, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Clifford Davis, It is ordered that Charles A. Rond, III, Esquire, of Memphis, State of Tennessee, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. George R. Stuntz, It is ordered that George M. Martin, Esquire, of Yakima, State of Washington, and Henry M. Jackson, Esquire, of Everett, State of Washington, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Brien McMahon, It is ordered that Daniel Davis Morgan, Esquire, of New Haven, State of Connecticut, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. William I. Denning, It is ordered that W. Glen Harlan, Esquire, of Atlanta, State of Georgia, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. John S. Leahy, Jr., It is ordered that Harold Herbert Gearinger, Esquire, of Lexington, Commonwealth of Kentucky, and Herbert Malcolm Hart, Esquire, of Saint Louis, State of Missouri, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Barrett Quirk, It is ordered that David L. Goldberg, Esquire, of Hartford, State of Connecticut, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Bryan L. Rakestraw, It is ordered that James A. Embry, Esquire, of Chandler, State of Oklahoma, and John Embry, Esquire, of Chandler, State of Oklahoma, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Bernard H. Conn, It is ordered that Morris Horowitz, Esquire, of New York, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Percy W. Phillips, It is ordered that Allan H. W. Higgins, Esquire, of Boston, Commonwealth of Massachusetts, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Roger P. Marquis, It is ordered that Julian H. Biddle, Esquire, of San Francisco, State of California, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

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Samuel Taylor,

Petitioner,

721 vs.

State of Alabama.

On writ of certiorari to the Supreme Court of the State of Alabama.

THIS CAUSE came on to be heard on the transcript of the record from the Supreme Court of the State of Alabama, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is ordered and adjudged by this Court that the judgment of the said Supreme Court, in this cause, be, and the same is hereby, affirmed.

Per Mr. Justice Burton.

Mr. Justice Black took no part in the consideration or decision of this case.

Concurring opinion by Mr. Justice Frankfurter.

Dissenting opinion by Mr. Justice Murphy in which Mr. Justice Douglas and Mr. Justice Rutledge join.

Andrew W. Comstock, a Holder of Missouri Pacific Railroad Company 5 1/4% Secured Serial Gold Bonds, etc.,

Petitioner,

451 vs.

Group of Institutional Investors, etc., et al.

On writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit.

THIS CAUSE came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Eighth Circuit, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is now here ordered and adjudged by this Court that the judgment of the said United States Circuit Court of Appeals, in this cause, be, and the same is hereby, affirmed with costs; and that this cause be, and the same is hereby, remanded to the District Court of the United States for the Eastern District of Missouri.

Per Mr. Justice Jackson.

Dissenting opinion by Mr. Justice Murphy in which Mr. Justice Black, Mr. Justice Douglas, and Mr. Justice Rutledge join.

New Orleans, Texas and Mexico Railway Company, Debtor, etc., Petitioner, vs. Group of Institutional Investors, etc., et al.

On writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit.

452

THIS CAUSE came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Eighth Circuit, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is now here ordered by this Court that the writ of certiorari in this cause, be, and the same is hereby, dismissed with costs; and that this cause be, and the same is hereby, remanded to the District Court of the United States for the Eastern District of Missouri.

Per Mr. Justice Jackson.

Dissenting: Mr. Justice Murphy, Mr. Justice Black, Mr. Justice Douglas, and Mr. Justice Rutledge.

Guy A. Thompson, Trustee of the New Orleans, Texas and Mexico Railway Company, etc., Petitioner, vs. Group of Institutional Investors, etc., et al.

On writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit.

453

THIS CAUSE came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Eighth Circuit, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is now here ordered by this Court that the writ of certiorari in this cause, be, and the same is hereby, dismissed

with costs; and that this cause be, and the same is hereby, remanded to the District Court of the United States for the Eastern District of Missouri.

Per Mr. Justice Jackson.

Dissenting: Mr. Justice Murphy, Mr. Justice Black, Mr. Justice Douglas, and Mr. Justice Rutledge.

Andrew W. Comstock, Petitioner,
vs.
Guy A. Thompson, Trustee of the New Orleans, Texas and Mexico Railway Company, Debtor, et al.

454 — On writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit.

THIS CAUSE came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Eighth Circuit, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is now here ordered by this Court that the writ of certiorari in this cause, be, and the same is hereby, dismissed with costs; and that this cause be, and the same is hereby, remanded to the District Court of the United States for the Eastern District of Missouri.

Per Mr. Justice Jackson.

Dissenting: Mr. Justice Murphy, Mr. Justice Black, Mr. Justice Douglas, and Mr. Justice Rutledge.

Paul Ahrens, et al., Petitioners,
vs.
Tom C. Clark, Attorney General of the United States.

446 — On writ of certiorari to the United States Court of Appeals for the District of Columbia.

THIS CAUSE came on to be heard on the transcript of the record from the United States Court of Appeals for the District of Columbia, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is now here ordered and adjudged by this Court that the judgment of the said United States Court of Appeals, in this cause, be, and the same is hereby, affirmed; and that this cause be, and the same is hereby, remanded to the District Court of the United States for the District of Columbia.

Per Mr. Justice Douglas.

Dissenting opinion by Mr. Justice Rutledge in which Mr. Justice Black and Mr. Justice Murphy join.

Kurt G. W. Ludecke, Petitioner, vs. W. Frank Watkins, as District Director of Immigration. On writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

723

THIS CAUSE came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Second Circuit, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is ordered and adjudged by this Court that the judgment of the said United States Circuit Court of Appeals, in this cause, be, and the same is hereby, affirmed and stay order entered February 2, 1948, vacated; and that this cause be, and the same is hereby, remanded to the District Court of the United States for the Southern District of New York.

Per Mr. Justice Frankfurter.

Dissenting opinion by Mr. Justice Black in which Mr. Justice Douglas, Mr. Justice Murphy, and Mr. Justice Rutledge join.

Dissenting opinion by Mr. Justice Douglas in which Mr. Justice Murphy and Mr. Justice Rutledge join.

Memphis Natural Gas Company, Petitioner, vs. A. H. Stone, Chairman, State Tax Commission of Mississippi. On writ of certiorari to the Supreme Court of the State of Mississippi.

94

THIS CAUSE came on to be heard on the transcript of the record from the Supreme Court of the State of Mississippi, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is ordered and adjudged by this Court that the judgment of the said Supreme Court, in this cause, be, and the same is hereby, affirmed with costs.

Per Mr. Justice Reed.

Mr. Justice Black concurs in the judgment.

Concurring opinion by Mr. Justice Rutledge.

Dissenting opinion by Mr. Justice Frankfurter in which the Chief Justice, Mr. Justice Jackson, and Mr. Justice Burton concur.

The United States of America, Appellant, vs. Congress of Industrial Organizations, Philip Murray, Officer Thereof. — Appeal from the District Court of the United States for the District of Columbia.

695

THIS CAUSE came on to be heard on the transcript of the record from the District Court of the United States for the District of Columbia, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is now here ordered and adjudged by this Court that the order of the District Court dismissing the indictment in this cause, be, and the same is hereby, affirmed on the grounds stated in the opinion of this Court.

Per Mr. Justice Reed.

Concurring opinion by Mr. Justice Frankfurter.

Opinion concurring in the result by Mr. Justice Rutledge in which Mr. Justice Black, Mr. Justice Douglas, and Mr. Justice Murphy join.

William Shapiro, Petitioner, vs. The United States of America. — On writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

49

THIS CAUSE came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Second Circuit, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is now here ordered and adjudged by this Court that the judgment of the said United States Circuit Court of Appeals, in this cause, be, and the same is hereby, affirmed; and that this cause be, and the same is hereby, remanded to the District Court of the United States for the Southern District of New York.

Per Mr. Chief Justice Vinson.

Dissenting opinion by Mr. Justice Frankfurter.

Dissenting opinion by Mr. Justice Jackson in which Mr. Justice Murphy joins.

Dissenting opinion by Mr. Justice Rutledge.

The United States of America, Appellant, vs. James Hoffman. — Appeal from the District Court of the United States for the District of Columbia.

97

THIS CAUSE came on to be heard on the transcript of the record from the District Court of the United States for the District of Columbia, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is now here ordered and adjudged by this Court that the judgment of the said District Court, in this cause, be, and the same is hereby, reversed; and that this cause be, and the same is hereby, remanded to the said District Court for further proceedings in conformity with the opinion of this Court.

Per Mr. Chief Justice Vinson.

Dissenting: Mr. Justice Frankfurter, Mr. Justice Jackson, Mr. Justice Murphy, and Mr. Justice Rutledge.

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The Chief Justice announced the following orders of the Court:

C. E. Eubanks, Petitioner, vs. Guy A. Thompson, as Trustee for the Missouri Pacific Railroad Company and Mrs. Charles Keene. — Order allowing certiorari.

775

The petition herein for a writ of certiorari to the Supreme Court of the State of Arkansas is granted.

And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

C. E. Eubanks,

Petitioner,

vs.

Guy A. Thompson, as Trustee for the Missouri Pacific Railroad Company and Mrs. Charles Keene.

775

On writ of certiorari to the Supreme Court of the State of Arkansas.

THIS CAUSE came on to be heard on the transcript of the record from the Supreme Court of the State of Arkansas, and was duly submitted.

ON CONSIDERATION WHEREOF, It is ordered and adjudged by this Court that the judgment of the said Supreme Court, in this cause, be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the Supreme Court of Arkansas for further proceedings not inconsistent with the opinion of this Court.

Per Mr. Chief Justice Vinson.

National Maritime Union of America, et al.,

Appellants,

vs.

Paul M. Herzog, John M. Houston, James J. Reynolds, Jr., et al.

808

Appeal from the District Court of the United States for the District of Columbia.

THIS CAUSE came on to be heard on the transcript of the record from the District Court of the United States for the District of Columbia, and was duly submitted.

ON CONSIDERATION WHEREOF, It is ordered, adjudged, and decreed by this Court that the decree of the said District Court in this cause be, and the same is hereby, affirmed to the extent that it passed upon the validity of section 9(f) and 9(g) of the National Labor Relations Act, as amended by the Labor Management Relations Act of 1947 (61 Stat. 136, 143; 28 U. S. C., sec. 141, 159(f), 159(g), Supp. 1947). The Court does not find it necessary to reach or consider the validity of section 9(h).

Per Mr. Chief Justice Vinson.

Mr. Justice Black and Mr. Justice Douglas are of the opinion that probable jurisdiction should be noted and the case set down for argument.

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The Chief Justice said:

"The other orders of the Court appear upon the list certified by the Chief Justice and filed with the Clerk and will not be announced orally."

ORDER

It is ordered that rules 51, 52, 53, and 54 of the Rules of Practice for the Courts of the United States in Admiralty and Maritime Jurisdiction be, and they are hereby, amended to read as follows:

RULE 51. Limitation of Liability--How Claimed.--The owner or owners of any vessel who shall desire to claim the benefit of limitation of liability provided for in the third and fourth sections of the Act of March 3, 1851, entitled "An Act to limit the liability of shipowners and for other purposes" (Sections 183 to 189 of Title 46 of the U. S. Code) as now or hereafter amended or supplemented, may file a petition in the proper District Court of the United States, as hereinafter specified. Such petition shall set forth the facts and circumstances on which limitation of liability is claimed, and pray proper relief in that behalf. It shall also state facts showing that the petition is filed in the proper district; the voyage on which the demands sought to be limited arose, with the date and place of its termination; the amount of all demands including all unsatisfied liens or claims of lien, in contract or in tort, arising on that voyage, so far as known to the petitioner, and what suits, if any, are pending thereon; whether the vessel was damaged, lost or abandoned, and, if so, when and where; the value of the vessel at the close of the voyage or, in case of wreck, the value of her wreckage, strippings or proceeds, if any, and where and in whose possession they are; and the amount of any pending freight recovered or recoverable. If any of the above particulars are not fully known to the petitioner, a statement of such particulars according to the best knowledge, information, and belief of the petitioner shall be sufficient. With his petition the petitioner may, if he so elects, file an interim stipulation, with sufficient sureties or an approved corporate surety, for the payment into court whenever the court shall so order, of the aggregate amount of the value of petitioner's interest in the vessel at the close of the voyage or, in case of wreck, the value of the wreckage, strippings or proceeds, and of any pending freight recovered or recoverable, with interest at six percent per annum from the date of the stipulation, and costs. If such interim stipulation is filed, it shall be accompanied by an affidavit or affidavits of a competent person or persons corroborating the statement in the petition as to value of the vessel, or her wreckage, etc., and her freight. Said court, having caused due appraisement to be had of the value of petitioner's interest in the vessel, or her wreckage, etc., and her freight shall make an order for the payment of the same into court, or for the giving of a stipulation, with sufficient sureties or an approved corporate surety, for the payment thereof into court with interest at six percent per annum from the date of the stipulation, whether interim or final, and costs, whenever the same shall be ordered; or, if the petitioner shall so elect, the court without such appraisement shall make an order for the transfer by the petitioner of his interest in such vessel, or her wreckage, etc., and freight to a trustee to be appointed by the court under the fourth section of said Act.

If a surrender of petitioner's interest in the vessel or her wreckage, etc., is offered to be made to a trustee, the petition must further show any prior paramount liens thereon, and what voyage or trips, if any, she has made since the voyage or trip on which the claims sought to be limited arose, and any existing liens arising upon any such subsequent voyage or trip, with the amounts and causes thereof, and the names and addresses of the lienors, so far as known; and whether the vessel sustained any injury upon or by reason of such subsequent voyage or trip.

Upon the filing of such interim stipulation, or upon determination of value by appraisal and compliance with the court's order with respect thereto, or upon compliance with a surrender order, as the case may be, the court shall issue a monition against all persons asserting claims in respect to which the petition seeks limitation, citing them to file their respective claims with the Clerk of said court and to serve on or mail to the proctors for the petitioner a copy thereof on or before a date to be named in said writ which shall be not less than 30 days after issuance of the same, which time the court, for cause shown, may enlarge.

Notice of the monition shall be published in such newspaper or newspapers as the court by rule or order may direct in substantially the following form, once in each week for four successive weeks before the return day of the monition:

UNITED STATES DISTRICT COURT

DISTRICT OF

NOTICE OF PETITION FOR EXONERATION FROM OR LIMITATION OF LIABILITY

(Filed - - - - - - - -)

Notice is given that _____ has filed a petition pursuant to Title 46, U. S. Code, §§ 183-189, claiming the right to exoneration from or limitation of liability for all claims arising on the voyage of the vessel _____ from _____ to _____ terminating on _____.

All persons having such claims must file them, under oath, as provided in United States Supreme Court Admiralty Rule 52, with the Clerk of this Court, at the U. S. Court House at _____ at _____ and serve on or mail to the petitioner's proctors _____ a copy on or before _____ or be defaulted. Personal attendance is not required.

Any claimant desiring to contest the claims of petitioner must file an answer to said petition, as required by Supreme Court Admiralty Rule 55, and serve on or mail to petitioner's proctors a copy.

_____
U. S. Marshal.

The petitioner not later than the day of second publication shall also mail a copy of the above notice (copy of the monition need not be mailed) to every person known to have made any claim against the vessel or the petitioner arising out of the voyage or trip on which the claims sought to be limited arose. In cases involving death a copy of such notice, together with a copy of Rule 52, shall be mailed to the decedent at his last-known address, and also to any person who shall be known to have made any claim on account of such death.

The said court shall also, on the application of the petitioner, make an order to restrain the further prosecution of all and any suit or suits against the petitioner and/or said vessel in respect to any claim or claims subject to limitation in the proceeding.

RULE 52. Filing and Proof of Claim in Limited Liability Proceedings.--Claims shall be filed with the Clerk of the Court in writing under oath and a copy shall be served upon the proctor for the petitioner on or before the return day of the monition. Each claim shall specify the various allegations of fact upon which the claimant relies in support of his claim, the items thereof, and the dates on which the same accrued. Within thirty days after the return day of the monition or within such time as the Court thereafter may allow, the petitioner shall mail to the proctor for each claimant (or if the claimant have no proctor to the claimant himself) a list setting forth (a) the name of each claimant, (b) the name and address of his proctor or attorney (if he is known to have one), (c) the nature of his claim, i. e., whether property loss, property damage, death, personal injury, etc., and (d) the amount thereof.

Whenever an interim stipulation has been filed as provided in Rule 51, any person claiming damages as aforesaid, who shall have filed his claim under oath, may file an exception controverting the value of the vessel at the close of the voyage, or, in case of wreck, the value of her wreckage, strippings or proceeds, and the amount of her pending freight, and the amount of the interim stipulation based thereon, and thereupon the court shall cause due appraisement to be had of the value of petitioner's interest in the vessel, or her wreckage, etc., and her freight; and if the court finds that the amount of the interim stipulation is either insufficient or excessive, the court shall make an order for the payment of the proper amount into court or, as the case may be, for a reduction in the amount of the stipulation or for the giving of an additional stipulation.

Proof of all claims which shall be filed in pursuance of said monition shall thereafter be made before a commissioner to be designated by the court, or before the court as the court may determine, subject to the right of any person interested to question or controvert the same; but no objection to any claim need be filed by any party to the proceeding; and on the completion of said proofs, the commissioner shall make report, or the court its findings on the claims so proven, and on confirmation of said commissioner's report, after hearing any exceptions thereto, or on such finding by the court, the moneys paid or secured to be paid into court as aforesaid or the proceeds of said vessel, or her wreckage, etc., and freight (after payment of costs and expenses) shall upon determination of liability be divided pro rata, subject to all provisions of law thereto, appertaining, amongst the several claimants in proportion to the amount of their respective claims, duly proved and confirmed as aforesaid, saving, however, to all parties any priority to which they may be legally entitled.

RULE 53. Rights of Owner to Contest Liability and of Claimants to Contest Exoneration from Liability or Limitation of Liability of Owner.--In the proceedings aforesaid, the petitioner shall be at liberty to contest his liability, or the liability of said vessel, provided he shall have complied with the requirements of Rule 51 and shall also have given a bond for costs and provided that in his petition he shall state the facts and circumstances by reason of which exoneration from liability is claimed; and any person claiming damages as aforesaid who shall have filed his claim under oath and intends to contest the right to exoneration or limitation, shall file an answer to such petition, and serve a copy on proctor for petitioner, and may contest the right of the owner or owners of said vessel, either to an exoneration from liability or to a limitation of liability under the said Act of Congress, or both, provided such answer shall in suitable allegations state the facts and circumstances by reason of which liability is claimed or right to limitation should be denied.

RULE 54. Courts Having Cognizance of Limited Liability Procedure.--The said petition shall be filed and the said proceedings had in any District Court of the United States in which said vessel has been libeled to answer for any claim in respect to which the petitioner seeks to limit liability; or, if the said vessel has not been libeled, then in the District Court for any district in which the owner has been sued in respect to any such claim. When the said vessel has not been libeled to answer the matters aforesaid, and suit has not been commenced against the said owner, the said proceedings may be had in the District Court of the district in which the said vessel may be, but if said vessel is not within any district and no suit has been commenced in any district, then the petition may be filed in any District Court. The District Court may, in its discretion, transfer the proceedings to any district for the convenience of the parties. If the vessel shall have already been sold, the proceeds shall represent the same for the purposes of these rules.

In re Harry Gladstone Easmann.

No. _____.

ON CONSIDERATION of the motion to amend the roll of attorneys to show the change of name of Harry Gladstone Iseman to Harry Gladstone Easmann,

IT IS ORDERED by this Court that the said motion be, and it is hereby, granted.

Per Mr. Chief Justice Vinson.

State of Wisconsin,

Complainant,

No. ___, Original vs.

State of Illinois.

ON CONSIDERATION of the motion of the State of Wisconsin for leave to file a bill of complaint in this cause,

IT IS ORDERED by this Court that the motion for leave to file be, and it is hereby, denied.

Per Mr. Chief Justice Vinson.

The United States of America,

Complainant,

No. 12, Original vs.

The State of California.

In our opinion of June 23, 1947, we stated that it might later become necessary to have hearings "in order to determine with greater definiteness particular segments of the boundary" between California and the marginal sea over which the United States has paramount rights and power (332 U. S. 19, 26). Our decree of October 27, 1947, reserved jurisdiction to enter such further orders and to issue such writs as might from time to time be necessary (332 U. S. 804, 805).

The Government has now filed a petition praying that the precise boundary as to certain segments of the California coastal area be ascertained. It urges that there exists a definite need for a prompt determination in this respect. California has answered, agreeing that there is need for prompt determination of the boundaries as to the segments designated by the Government, but it urges that there is also need for a prompt determination of the precise California coastal boundary all the way from Oregon to Mexico.

California's petition for an ascertainment of the entire coastal boundary at this time is denied.

The Court is in doubt at this time as to what particular segments of the boundary, if any, should now be determined.

It is therefore of the opinion that a master should be appointed by the Chief Justice to make inquiry into this subject and to hold hearings, if he finds it necessary, in order to make recommendations to this Court at the October, 1948, Term, as to what particular portions of the boundary call for precise determination and adjudication. Should the master conclude that such adjudications should be made, he is also authorized to recommend to this Court an appropriate procedure to be followed in determining the precise boundary of such segments.

It is so ordered.

Per Mr. Chief Justice Vinson.

Mr. Justice Jackson took no part in the consideration or decision of this question.

Estate of Sidney M. Spiegel, Deceased,
Katherine J. Spiegel, et al., Surviving
Executors, etc.,

Petitioners,

52 vs.

Commissioner of Internal Revenue; and

Commissioner of Internal Revenue,

Petitioner,

96 vs.

Estate of Francois L. Church, Deceased,
Edward E. Black, Executor.

Each of these cases is ordered restored to the docket and is assigned for reargument. In their briefs and on oral argument counsel are requested to discuss particularly the following questions insofar as they are relevant to the respective cases:

1. Assuming that, under the applicable state law, there was no possibility of reverter and no interest of any other kind retained or arising in favor of the settlor or his estate under the transfer made in trust, inter vivos, did section 811 (c) of the Internal Revenue Code require that the value of the corpus of the trust be included in the settlor's gross estate for federal estate-tax purposes? That is, did section 811 (c) require the inclusion in the gross estate of the settlor of the value of the corpus of a trust, created inter vivos, merely because the settlor had provided in it that, upon his death, the trust should terminate and the corpus

be distributed to designated beneficiaries then surviving?

2. Assuming that, under the applicable state law, there arose, by operation of law, a possible reverter in favor of the settlor's estate, did section 811(c) require that the value of the corpus, in view of the record in the case, be included in the settlor's gross estate for federal estate-tax purposes?

3. Did section 811(c) of the Internal Revenue Code, in 1939, require the inclusion in the settlor's gross estate of the value of the corpus of a trust because the settlor, by its terms, had, in 1924, reserved to himself a right to the income of the trust until his death, the reservation thus being made before the March 3, 1931, amendment of that section?

4. Were the joint congressional resolution of 1931 (46 Stat. 1516-1517), and subsequent related estate-tax statutes, intended to be a repudiation of this Court's May v. Heiner (281 U. S. 238) interpretation of the estate-tax statutes?

5. Did the May v. Heiner estate-tax interpretation survive the congressional resolution and this Court's holding and opinion in Helvering v. Hallock (309 U. S. 106)?

6. Under section 811(c) is the "possession and enjoyment" of the corpus of an inter vivos trust "intended to take effect * * * at or after" the settlor's death, where he names himself as cotrustee with the broad control and administrative powers over the corpus and income here vested, and where the corpus is withheld from the beneficiaries until the settlor's death?

7. In the light of this Court's opinion in Helvering v. Hallock does the Hassett v. Welch (303 U. S. 303) interpretation of the 1931 congressional resolution have controlling relevance in determining whether the estate tax shall be applied to the Church properties transferred to beneficiaries under a trust created before 1931 but in which Church retained the net income from the trust properties during his life?

8. Assuming that under the "refined technicalities of the law of property" the "possession and enjoyment" of the trust properties here be deemed to have passed to the beneficiaries when the trust was created, are

the transfers so much "akin to testamentary dispositions" as to make them subject to the estate-tax statutes? (See Helvering v. Hallock, p. 112.)

9. What is the effect of the rulings of Helvering v. Clifford (309 U. S. 331) upon these trusts?

Per Mr. Chief Justice Vinson.

Mr. Justice Frankfurter and Mr. Justice Jackson disapprove the foregoing because it includes hypothetical and argumentive questions not raised by either counsel or necessary to decision of the case.

Emil Lustig, Alias Dr. Edward E. Fisher,

Petitioner,

1389 O.T. '46 vs.

The United States of America.

This case is ordered restored to the docket and assigned for reargument. Counsel are requested to discuss in their briefs and on oral argument the relevance of the legality of the search and seizure. (See Wolf v. People of the State of Colorado, Nos. 593-594, October Term, 1947.) This case is transferred to the summary docket and assigned for hearing immediately following those cases.

Per Mr. Chief Justice Vinson.

Charles Kovacs,

Appellant,

505 vs.

Albert Cooper, Jr., Judge of the First District Police Court of Trenton.

The statement of jurisdiction in this case having been submitted and considered by the Court, probable jurisdiction is noted.

Per Mr. Chief Justice Vinson.

Railway Express Agency, Inc., et al.,

Appellants,

786 vs.

People of the State of New York.

The statement of jurisdiction in this case having been submitted and considered by the Court, probable jurisdiction is noted.

Per Mr. Chief Justice Vinson.

Richard P. Lawson, as Deputy Commissioner, Sixth Compensation District, United States Employees' Compensation Commission, — Order allowing certiorari.

Petitioner,

806 vs.

Suwannee Fruit & Steamship Company, a Corporation, et al.

The petition herein for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit is granted.

And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

The United States of America, ex rel. Stanley Joseph Pasela, — Order allowing certiorari.

Petitioner,

811 vs.

Frank W. Fenno, Jr., Captain of the United States Navy, Commanding Officer of the United States Naval Submarine Base.

The petition herein for a writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit is granted.

And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

Carl Aldo Marzani, Order allowing certiorari.

Petitioner,

816 vs.

The United States of America.

The petition herein for a writ of certiorari to the United States Court of Appeals for the District of Columbia is granted.

And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

Aaron Turner, On petition for writ of certiorari

Petitioner, to the Supreme Court of the Common-

567, Misc. vs. wealth of Pennsylvania.

Commonwealth of Pennsylvania.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, granted and the case is transferred to the appellate docket as No. 879. The case is assigned for argument immediately following Harris vs. State of South Carolina, No. 845, October Term, 1947.

Per Mr. Chief Justice Vinson.

The United States of America, ex rel. Hans Ackermann, On petition for writ of certiorari

Petitioner, to the United States Circuit Court

584 vs. of Appeals for the Fifth Circuit.

J. L. O'Rourke, Officer in Charge of Alien Internment Camp at Crystal City, Texas.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Fifth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

The United States of America, ex rel. Frieda Ackerman,

Petitioner,

585 vs.

J. L. O'Rourke, Officer in Charge of Alien Internment Camp at Crystal City, Texas.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Fifth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

J. R. Mason,

Petitioner,

796 vs.

Merced Irrigation District.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Ninth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Reynolds Metals Company,

Petitioner,

797 vs.

C. D. Skinner and Leo C. Bradley.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Sixth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Debardeleben Coal Corporation, Petitioner, vs. Lionel G. Ott, Commissioner of Public Finance and Ex-Officio City Treasurer. — On petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit.

802

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Fifth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Debardeleben Coal Corporation, Petitioner, vs. Lionel G. Ott, Commissioner of Public Finance and Ex-Officio City Treasurer. — On petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit.

803

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Fifth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Lionel G. Ott, Commissioner of Public Finance and Ex-Officio City Treasurer, etc., Petitioner, vs. Mississippi Valley Barge Line Company. — On petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit.

818

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Fifth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

George Montgomery, State Tax Collector, etc.,

Petitioner,

819 vs.

Mississippi Valley Barge Line Company.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Fifth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Lionel G. Ott, Commissioner of Public Finance and Ex-Officio City Treasurer, etc.,

Petitioner,

820 vs.

American Barge Line Company.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Fifth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

George Montgomery, State Tax Collector, etc.,

Petitioner,

821 vs.

American Barge Line Company.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Fifth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Lionel G. Ott, Commissioner of Public Finance and Ex-Officio City Treasurer, etc.,

Petitioner,

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit.

822 vs.

American Barge Line Company.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Fifth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Lionel G. Ott, Commissioner of Public Finance and Ex-Officio City Treasurer, etc.,

Petitioner,

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit.

823 vs.

Mississippi Valley Barge Line Company.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Fifth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Lionel G. Ott, Commissioner of Public Finance and Ex-Officio City Treasurer, etc.,

Petitioner,

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit.

824 vs.

Union Barge Line Corporation.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Fifth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

George Montgomery, State Tax Collector, etc.,

Petitioner,

825 vs.

Mississippi Valley Barge Line Company.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Fifth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

George Montgomery, State Tax Collector, etc.,

Petitioner,

826 vs.

American Barge Line Company.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Fifth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Lura D. Glassey,

Petitioner,

805 vs.

C. D. Horrall, Chief of Police of the City of Los Angeles, California.

On petition for writ of certiorari to the Supreme Court of the State of California.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of California, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Clara Shapiro, Petitioner, vs. Annette Shapiro and the United States of America.

829

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Second Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Second Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Lee Young, Petitioner, vs. The United States of America.

848

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Tenth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Tenth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Lee Deer, Petitioner, vs. The United States of America.

849

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Tenth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Tenth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Ralph L. Polk, Petitioner, vs. The United States of America. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Tenth Circuit.

850

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Tenth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Cloyce Henry Peters, Petitioner, vs. The United States of America.

256

ON CONSIDERATION of the motion to dispense with the printing of the record in this case,

IT IS ORDERED by this Court that the said motion be, and it is hereby, granted.

Per Mr. Chief Justice Vinson.

Cloyce Henry Peters, Petitioner, vs. The United States of America. On petition for writ of certiorari to the United States Circuit Court of Appeals for the Eighth Circuit.

256

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Eighth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mrs. Libbylet Graves McKewen,

Petitioner,

812 vs.

Marjorie L. McKewen and the United States of America.

ON CONSIDERATION of the motion to proceed on mimeographed copies of the record in this case,

IT IS ORDERED by this Court that the said motion be, and it is hereby, granted.

Per Mr. Chief Justice Vinson.

Mrs. Libbylet Graves McKewen, Petitioner; 812 vs. Marjorie L. McKewen and the United States of America.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Circuit Court of Appeals for the Fifth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Tighe E. Woods, Housing Expediter, etc.,

437 vs.

W. H. Hills.

ON CONSIDERATION of the motion for leave to file a petition for rehearing and of the petition for rehearing in this case,

IT IS ORDERED by this Court that the motion for leave to file be, and it is hereby, granted; and that the petition for rehearing be, and it is hereby, denied.

IT IS FURTHER ORDERED that the opinion of this Court be amended by adding to the sentence on page 7 beginning "That statutory procedure," a footnote numbered "9" reading as follows:

"Of course the District Court can withhold judgment so that it may give effect to any determination by the Housing Expediter or the Emergency Court of Appeals that might result from the defendant's pursuit of this remedy."

Per Mr. Chief Justice Vinson.

The United States of America,

Appellant,

461 vs.

Columbia Steel Company, Consolidated Steel Corporation, et al.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

The United States of America,

Appellant,

544 vs.

National City Lines, Inc., et al.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

William Jerome Phyle,

Petitioner,

655 vs.

Clinton T. Duffy, Warden, etc.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Harry J. Alker, Jr., and Mamie Du Ban,
Individually and as Executrix, etc.,

Petitioners,

697 vs.

Federal Deposit Insurance Corporation.

ON CONSIDERATION of the motion for leave to file a petition for rehearing and of the petition for rehearing in this case,

IT IS ORDERED by this Court that the motion for leave to file be, and it is hereby, granted; and that the petition for rehearing be, and it is hereby, denied.

Per Mr. Chief Justice Vinson.

Hazeltine Corporation,

Petitioner,

716 vs.

The Honorable William H. Kirkpatrick,
a District Judge, etc.

ON CONSIDERATION of the motion for leave to file a petition for rehearing and of the petition for rehearing in this case,

IT IS ORDERED by this Court that the motion for leave to file be, and it is hereby, granted; and that the petition for rehearing be, and it is hereby, denied.

Per Mr. Chief Justice Vinson.

Hazeltine Corporation,

Petitioner,

717 vs.

The Honorable William H. Kirkpatrick,
a District Judge, etc.

ON CONSIDERATION of the motion for leave to file a petition for rehearing and of the petition for rehearing in this case,

IT IS ORDERED by this Court that the motion for leave to file be, and it is hereby, granted; and that the petition for rehearing be, and it is hereby, denied.

Per Mr. Chief Justice Vinson.

Paysoff Tinkoff,

Petitioner,

810 vs.

People of the State of Illinois, ex rel.
The Chicago Bar Association, et al.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Jackson took no part in the consideration or decision of this application.

James J. O'Loughlin,

Petitioner,

326, Misc. vs.

E. V. Parker, Deputy Commissioner, U. S.
Employees' Compensation Commission.

ON CONSIDERATION of the motion for leave to file a third petition for rehearing in this case,

IT IS ORDERED by this Court that the said motion be, and it is hereby, denied.

Per Mr. Chief Justice Vinson.

George Cole and George Hicks,

Petitioners,

500, Misc. vs.

The State of New Jersey.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Wright Harris,

Petitioner,

519, Misc. vs.

City of New York.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

In the Matter of Bruce Pierce.

528, Misc.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

John P. Carmelo, Petitioner,

408, Misc. vs.

People of the State of Pennsylvania.

On petition for writ of certiorari to the Supreme Court of the Commonwealth of Pennsylvania.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Dale Bradford Haley, Petitioner, 444, Misc. vs. Ben B. Stewart, Warden.

On petition for writ of certiorari to the Supreme Court of the State of Missouri.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Betsy Ritchie (Aron), Petitioner, 466, Misc. vs. Katharine M. Drier, et al.

On petition for writ of certiorari to the United States Court of Appeals for the District of Columbia.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Jack Gibson Moss, Petitioner, 504, Misc. vs. Walter A. Hunter, Warden.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Tenth Circuit.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

John Solis, Jr., Petitioner, vs. Donald C. Clemmer, Director.
511, Misc.

On petition for writ of certiorari to the United States Court of Appeals for the District of Columbia.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Winfred Jones, Petitioner, vs. State of Missouri.
556, Misc.

On petition for writ of certiorari to the Supreme Court of the State of Missouri.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Albert Volkman, Petitioner, vs. Joseph E. Ragen, Warden.
557, Misc.

On petition for writ of certiorari to the Supreme Court of the State of Illinois.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Patrick Murphy, Petitioner, vs. Joseph E. Ragen, Warden. — On petition for writ of certiorari to the Criminal Court of Cook County of the State of Illinois.

558, Misc.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Bernard M. Shotkin, etc., et al., Petitioners, vs. Thomas A. Edison, Inc. — On petition for writ of certiorari to the United States Circuit Court of Appeals for the Tenth Circuit.

559, Misc.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

John Wehr, Petitioner, vs. Joseph E. Ragen, Warden. — On petition for writ of certiorari to the Circuit Court of Bureau County of the State of Illinois.

560, Misc.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Arthur Lee Dennis, Petitioner, 563, Misc. vs. Joseph E. Ragen, Warden.

On petition for writ of certiorari to the Supreme Court of the State of Illinois.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Rubein V. Johnson, Petitioner, 564, Misc. vs. William H. Hiatt, Warden.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Joe Hayes, Petitioner, 565, Misc. vs. R. H. Hudspeth, Warden.

On petition for writ of certiorari to the Supreme Court of the State of Kansas.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Michael J. Kilgallen, Petitioner, vs. People of the State of New York. 568, Misc. — On petition for writ of certiorari to the County Court of Queens County of the State of New York.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

James Grant, Petitioner, vs. Joseph E. Ragen, Warden. 569, Misc. — On petition for writ of certiorari to the Criminal Court of Cook County of the State of Illinois.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Lucian Burns, Petitioner, vs. People of the State of Illinois. 570, Misc. — On petition for writ of certiorari to the Criminal Court of Cook County of the State of Illinois.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Ralph M. Boyles,

Petitioner,

555, Misc. vs.

Robert H. Hudspeth, Warden.

ON CONSIDERATION of the motion for leave to file a petition for writ of habeas corpus herein,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Bernard M. Shotkin,

Petitioner,

561, Misc. vs.

Albert D. Kaplan, et al.

ON CONSIDERATION of the petition for appeal submitted by Bernard M. Shotkin,

IT IS ORDERED by this Court that the petition for appeal be, and it is hereby, denied.

Per Mr. Chief Justice Vinson.

Albert J. Kruse,

Petitioner,

562, Misc. vs.

Dr. Russell E. Blaisdell, Director.

ON CONSIDERATION of the motion for leave to file a petition for writ of habeas corpus herein,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

In the Matter of Karl Gronwald, et al.,

Petitioners.

571, Misc.

ON CONSIDERATION of the motion for leave to file a petition for an original writ of habeas corpus and prohibition herein,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

The Chief Justice, Mr. Justice Reed, Mr. Justice Frankfurter, and Mr. Justice Burton are of the opinion that there is want of jurisdiction.

Mr. Justice Black, Mr. Justice Douglas, Mr. Justice Murphy, and Mr. Justice Rutledge are of the opinion that the motion for leave to file should be granted and that the case should be set for argument forthwith.

Mr. Justice Jackson took no part in the consideration or decision of this application.

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The Chief Justice announced the following order:

"All cases submitted and all business before the Court at this term in readiness for disposition having been disposed of,

It is ordered by this Court that all cases on the docket be, and they hereby are, continued to the next term."

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Proclamation being made the Court is adjourned to the time and place appointed by law.

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At the Supreme Court Building, in the City of Washington, and District of Columbia, being the present Seat of the National Government of the United States, on the first Monday in October (being the fourth day of the same month) in the year of our Lord one thousand, nine hundred and forty-eight and of the independence of the United States the one hundred and seventy-third, The Supreme Court of the United States met agreeably to law.

PRESENT:

The Honorable Fred M. Vinson, Chief Justice,
Hugo L. Black,
Stanley Reed,
Felix Frankfurter,
William O. Douglas,
Robert H. Jackson,
Wiley Rutledge,
Harold H. Burton,
Associate Justices.

Thomas Ennalls Waggaman, Esquire, Marshal,

Charles Elmore Cropley, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Henry P. Chandler, It is ordered that Francis Aloysius Pedlow, Esquire, of Albany, State of New York, and Walter L. Collins, Esquire, of Albany, State of New York, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Solicitor General Philip B. Perlman, It is ordered that Paul A. Porter, Esquire, of Winchester, Commonwealth of Kentucky; Luis Negron Fernandez, Esquire, of San Juan, Puerto Rico; Dick Young, Esquire, of Houston, State of Texas; and Carlos Santana Becerra, Esquire, of San Juan, Puerto Rico, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Herbert Lowenthal, It is ordered that David Stein, Esquire, of New York, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Robert C. Barnard, It is ordered that Walton H. Hamilton, Esquire, of Washington, District of Columbia, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Howard S. Guttmann, It is ordered that Joseph Auerbach, Esquire, of Franklin, State of New Hampshire, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Charles Clark, It is ordered that James Edwin Harper, Esquire, of Augusta, State of Georgia, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Frederick Bernays Wiener, It is ordered that Cyrus Bernstein, Esquire, of Washington, District of Columbia, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Logan Morris, It is ordered that Thorpe Nesbit, Esquire, of Philadelphia, Commonwealth of Pennsylvania, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. John J. Kelly, Sr., It is ordered that George Gilman Kelly, Esquire, of Chicago, State of Illinois, and John J. Kelly, Jr., Esquire, of Chicago, State of Illinois, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Gordon Wade Rule, It is ordered that Eugene J. Brahm, Esquire, of Chicago, State of Illinois, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. J. Bowers Campbell, It is ordered that Norvill B. Arnold, Esquire, of Bethesda, State of Maryland, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Samuel William Jensch, It is ordered that L. E. Melrin, Esquire, of Minneapolis, State of Minnesota, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Howe P. Cochran, It is ordered that Margaret Frances Luers, of Washington, District of Columbia, and Betty Stockvis, of Washington, District of Columbia, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly. (Miss; Mrs.)

On motion first made to the Court in this behalf by Mr. Herbert R. Grossman, It is ordered that Lawrence Agnew Myers, Jr., Esquire, of Washington, District of Columbia, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Meredith M. Daubin, It is ordered that Robert Leonard Larson, Esquire, of Iowa City, State of Iowa, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Robert E. Kline, Jr., It is ordered that Kirtland F. Snyder, Esquire, of Kingston, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Francis M. Goodwin, It is ordered that Ralph Atkinson, Esquire, of Salem, State of Ohio, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Maurice R. Barnes, It is ordered that Samuel B. Huffman, Esquire, of Indianapolis, State of Indiana, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. William I. Denning, It is ordered that James McKown, Jr., Esquire, of Orange, State of New Jersey, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. William Edwin Carpenter, It is ordered that Max A. Weston, Esquire, of Rockford, State of Illinois, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Joseph P. McCarthy, It is ordered that Arthur R. Heckerman, Esquire, of Cincinnati, State of Ohio, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Kenneth L. Kimble, It is ordered that Jesse E. Baskette, Esquire, of Washington, District of Columbia, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Samuel Levine, It is ordered that Meyer Weinberg, Esquire, of Chicago, State of Illinois, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

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The Chief Justice said:

"I announce with profound regret the death on Friday, August 27, 1948, of Charles Evans Hughes, retired Chief Justice of the United States.

"Seldom does it fall to the lot of any man to render distinguished service in so many fields as did Chief Justice Hughes. He was an eminent lawyer, Governor of the State of New York, Associate Justice of the Supreme Court of the United States, nominee of his party for the Presidency, Secretary of State of the United States, and Chief Justice of the United States -- a record unique in our Nation's history. His place is high among the outstanding jurists of the world.

"At an appropriate time, the Court will receive the Resolutions of the Bar in tribute to his memory."

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Lyndon B. Johnson, in his individual capacity, et al.,

Petitioners,

No. ____. vs.

Coke R. Stevenson.

Motion to vacate stay order and to dismiss the proceedings submitted by Mr. Samuel H. Horne in behalf of counsel for the respondent.

Lyndon B. Johnson, in his individual capacity, et al.,

Petitioners,

No. ____ vs.

Coke R. Stevenson.

Supplemental motion for a stay submitted by Mr. Abe Fortas for the petitioners.

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Proclamation being made the Court is adjourned until Monday, October 11, next, at 12 o'clock.

PRESENT:

The Honorable Fred M. Vinson, Chief Justice,
Hugo L. Black,
Stanley Reed,
Felix Frankfurter,
William O. Douglas,
Robert H. Jackson,
Wiley Rutledge,
Harold H. Burton.
Associate Justices.

Lyndon B. Johnson, in His Individual Capacity, and V. F. Striegler, County Judge of Blanco County, Texas, et al.,

Petitioners,

No. ____ vs.

Coke R. Stevenson.

ON CONSIDERATION of the supplemental motion for stay submitted by counsel for the petitioners in the above entitled cause,

IT IS ORDERED by this Court that the motion to expand the order of Mr. Justice Black of September 29, 1948, be, and it is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Murphy took no part in the consideration or decision of this motion.

Lyndon B. Johnson, in His Individual Capacity, and V. F. Striegler, County Judge of Blanco County, Texas, et al.,

Petitioners,

No. ____ vs.

Coke R. Stevenson.

ON CONSIDERATION of the motion of counsel for Coke R. Stevenson to vacate the order of Mr. Justice Black of September 29, 1948, and to dismiss the proceedings,

IT IS ORDERED by this Court that the said motion be, and it is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Murphy took no part in the consideration or decision of this motion.

(The above orders were issued by the Court in Conference and it did not con-

Pursuant to adjournment the Court met at the Supreme Court Building.

PRESENT:

The Honorable Fred M. Vinson, Chief Justice,
Hugo L. Black,
Stanley Reed,
Felix Frankfurter,
William O. Douglas,
Robert H. Jackson,
Wiley Rutledge,
Harold H. Burton.
Associate Justices.

Thomas Ennalls Waggaman, Esquire, Marshal,
Charles Elmore Cropley, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Kenneth Douglas McKellar, It is ordered that Samuel Strong Pharr, Esquire, of Memphis, State of Tennessee, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. John H. Pickering, It is ordered that Gerald P. Finley, Esquire, of New York, State of New York, and Arnold B. Elkind, Esquire, of New York, State of New York, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Charles Evans Hughes, Jr., It is ordered that Seymour Kleinman, Esquire, of New York, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. William J. Hughes, Jr., It is ordered that Harry Clifford Allder, Jr., Esquire, of Washington, District of Columbia, and Charles E. Ford, Esquire, of Washington, District of Columbia, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Frederick Bernays Wiener, It is ordered that Francis J. Sullivan, Esquire, of Saint Louis, State of Missouri, and Gaylord S. Gilbert, Esquire, of Louisville, Commonwealth of Kentucky, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Richard C. Marshall, 3rd, It is ordered that Samuel Gottesman, Esquire, of New York, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. William M. Klein, It is ordered that William H. Klein, Esquire, of Wilmette, State of Illinois, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Bernard H. White, It is ordered that F. J. Perez-Almiroty, Esquire, of San Juan, Puerto Rico, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. John T. Barker, It is ordered that Claude E. Sowers, Esquire, of Wichita, State of Kansas, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. S. Frank Fowler, It is ordered that Robert Dade Hudson, Esquire, of Tulsa, State of Oklahoma, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. R. L. Davidson, It is ordered that Quince B. Boydstun, Esquire, of Fort Gibson, State of Oklahoma, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Donald C. Beelar, It is ordered that Conrad Noll, Jr., Esquire, of Springfield, State of Illinois, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Mac Asbill, It is ordered that Elbridge Bancroft Pierce, Esquire, of Chicago, State of Illinois, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. John Franklin Fort, It is ordered that Leon Epstein, Esquire, of Miami, State of Florida, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Walter L. Baumgartner, It is ordered that Donovan N. Hoover, Esquire, of Santa Fe, State of New Mexico, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

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The Chief Justice announced the following orders of the Court:

Willis Brand,
Appellant,
vs.
Milwaukee County, William J. McCauley, District Attorney of said County, et al.

Appeal from the Supreme Court of the State of Wisconsin.

87

THIS CAUSE came on to be heard on the transcript of the record from the Supreme Court of the State of Wisconsin, and was duly submitted.

ON CONSIDERATION WHEREOF, It is now here ordered by this Court that the appeal herein be, and the same is hereby, dismissed for the want of jurisdiction.

Per Mr. Chief Justice Vinson.

Willis Brand, Appellant, vs. Milwaukee County, William J. McCauley, District Attorney of said County, et al. — Appeal from the Supreme Court of the State of Wisconsin.

87

TREATING the appeal papers herein from the Supreme Court of the State of Wisconsin as an application for a writ of certiorari;

ON CONSIDERATION WHEREOF, It is ordered by this Court that the said application for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

The United States of America, Appellant, vs. Maryland and Virginia Milk Producers Association, Inc., et al. — Appeal from the United States District Court for the District of Columbia.

89

THIS CASE came on for consideration on the transcript of record, statement of jurisdiction, statements opposing jurisdiction and motions to transfer the case to the United States Court of Appeals for the District of Columbia Circuit.

ON CONSIDERATION WHEREOF, It is ordered by this Court that the motions to transfer be, and they are hereby, granted; and that this case be, and it is hereby, transferred to the United States Court of Appeals for the District of Columbia Circuit pursuant to Title 18, United States Code, Sec. 3731.

Per Mr. Chief Justice Vinson.

Manuel Munoz, Appellant, vs. Neal Polk, Sheriff of Harris County, Texas. — Appeal from the Court of Criminal Appeals of the State of Texas.

97

THIS CAUSE came on to be heard on the transcript of the record from the Court of Appeals of the State of Texas, and was duly submitted.

ON CONSIDERATION WHEREOF, It is now here ordered by this Court that the appeal herein be, and the same is hereby, dismissed for the want of a properly presented federal question.

Per Mr. Chief Justice Vinson.

Robert W. Morris, Appellant, vs. Ford Motor Company. — Appeal from the Supreme Court of the State of Michigan.

189

THIS CAUSE came on to be heard on the transcript of the record from the Supreme Court of the State of Michigan, and on motion to dismiss, which was duly submitted.

ON CONSIDERATION WHEREOF, It is now here ordered by this Court that the motion to dismiss the appeal herein be, and the same is hereby, granted.

IT IS FURTHER ORDERED that the appeal herein be, and the same is hereby, dismissed for the want of a substantial federal question.

Per Mr. Chief Justice Vinson.

T. B. Holliday, et al., Appellants, vs. The Governor of the State of South Carolina, et al. — Appeal from the United States District Court for the Western District of South Carolina.

249

THIS CAUSE came on to be heard on the transcript of the record from the United States District Court for the Western District of South Carolina, and on motion to affirm, which was duly submitted.

ON CONSIDERATION WHEREOF, It is ordered by this Court that the motion to affirm, be, and the same is hereby, granted.

IT IS FURTHER ordered, adjudged, and decreed by this Court that the decree of the said District Court in this cause, be, and it is hereby, affirmed with costs.

Per Mr. Chief Justice Vinson.

Theophile O. Hotard and Allen H. Johness,

Appellants,

259 vs.

City of New Orleans, et al.

ON CONSIDERATION of the motion for leave to file supplemental statement opposing jurisdiction, motion to dismiss or affirm and for damages,

IT IS ORDERED by this Court that the said motion for leave to file be, and it is hereby, granted.

Per Mr. Chief Justice Vinson.

Theophile O. Hotard and Allen H. Johness,

Appellants,

259 vs.

City of New Orleans, et al.

Appeal from the Supreme Court of the State of Louisiana.

THIS CAUSE came on to be heard on the transcript of the record from the Supreme Court of the State of Louisiana, and on motion to dismiss or affirm, which was duly submitted.

ON CONSIDERATION WHEREOF, It is now here ordered by this Court that the motion to dismiss the appeal herein be, and the same is hereby, granted.

IT IS FURTHER ORDERED that the appeal herein be, and the same is hereby, dismissed for the want of a substantial federal question.

Per Mr. Chief Justice Vinson.

North American Company,

Appellant,

265 vs.

William K. Koerner, Judge of the Circuit Court of the City of St. Louis.

Appeal from the Supreme Court of the State of Missouri.

THIS CAUSE came on to be heard on the transcript of the record from the Supreme Court of the State of Missouri, and on motion to dismiss, which was duly submitted.

ON CONSIDERATION WHEREOF, It is now here ordered by this Court that the motion to dismiss the appeal herein be, and the same is hereby, granted.

IT IS FURTHER ORDERED that this cause be, and the same is hereby, dismissed for the want of a substantial federal question.

Per Mr. Chief Justice Vinson.

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The Chief Justice said:

"The other orders of the Court appear upon the list certified by the Chief Justice and filed with the Clerk and will not be announced orally."

Joseph Giboney, et al.,

Appellants,

182 vs.

Empire Storage and Ice Company

The statement of jurisdiction in this case having been submitted and considered by the Court, probable jurisdiction is noted.

Per Mr. Chief Justice Vinson.

Lionel G. Ott, Commissioner of Public Finance and Ex-Officio City Treasurer of the City of New Orleans, et al.,

Appellants,

244 vs.

Mississippi Valley Barge Line Company, et al.

The statement of jurisdiction in this case having been submitted and considered by the Court, probable jurisdiction is noted.

Per Mr. Chief Justice Vinson.

Clyde Wilkerson, Order allowing certiorari.

Petitioner,

53 vs.

Wilson McCarthy and Henry Swan, as Trustees of the Denver and Rio Grande Western Railroad Company.

The petition herein for a writ of certiorari to the Supreme Court of the State of Utah is granted. And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

Howard F. Coray, Ancillary Administrator of the Estate of William Frank Lucas, Deceased, Order allowing certiorari.

Petitioner,

54 vs.

Southern Pacific Company.

The petition herein for a writ of certiorari to the Supreme Court of the State of Utah is granted. And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

Kimball Laundry Company, Order allowing certiorari.

Petitioner,

63 vs.

The United States of America.

The petition herein for a writ of certiorari to the United States Court of Appeals for the Eighth Circuit is granted.

And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

Chicago, Milwaukee, St. Paul and Pacific Railroad Company, et al., — Order allowing certiorari.

Petitioners,

65 vs.

Acme Fast Freight, Inc.

The petition herein for a writ of certiorari to the United States Court of Appeals for the Second Circuit is granted.

And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

Commissioner of Internal Revenue, — Order allowing certiorari.

Petitioner,

83 vs.

Margaret R. Phipps.

The petition herein for a writ of certiorari to the United States Court of Appeals for the Tenth Circuit is granted.

And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

Commissioner of Internal Revenue, — Order allowing certiorari.

Petitioner,

84 vs.

Pelham G. Wodehouse.

The petition herein for a writ of certiorari to the United States Court of Appeals for the Fourth Circuit is granted.

And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

Nathan D. Leiman and Samuel Marion, Petitioners, vs. Alexander Guttman, George Geller and Arthur Bainton, etc., et al. — Order allowing certiorari.

88

The petition herein for a writ of certiorari to the Court of Appeals of the State of New York is granted.

And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

Foley Bros., Inc., and Spencer, White & Prentis, Inc., Petitioners, vs. Frank Paul Filardo. — Order allowing certiorari.

91

The petition herein for a writ of certiorari to the Supreme Court of the State of New York, County of New York, is granted.

And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

H. P. Hood & Sons, Inc., Petitioner, vs. C. Chester DuMond, Commissioner of Agriculture and Markets of the State of New York. — Order allowing certiorari.

92

The petition herein for a writ of certiorari to the Supreme Court of the State of New York, Albany County, is granted.

And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

Federal Power Commission, et al., Order allowing certiorari.

Petitioners,

109 vs.

Interstate Natural Gas Company, Incorporated, et al.

The petition herein for a writ of certiorari to the United States Court of Appeals for the Fifth Circuit is granted.

And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

Public Service Commission of the State of Missouri, Order allowing certiorari.

Petitioner,

188 vs.

Interstate Natural Gas Company, Incorporated, et al.

The petition herein for a writ of certiorari to the United States Court of Appeals for the Fifth Circuit is granted.

And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

Memphis Light, Gas & Water Division, Order allowing certiorari.

Petitioner,

209 vs.

Interstate Natural Gas Company, et al.

The petition herein for a writ of certiorari to the United States Court of Appeals for the Fifth Circuit is granted.

And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

Illinois Commerce Commission, et al., Order allowing certiorari.

Petitioners,

212 vs.

Interstate Natural Gas Company, et al.

The petition herein for a writ of certiorari to the United States Court of Appeals for the Fifth Circuit is granted.

And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

William R. McComb, Administrator of the Wage and Hour Division, United States Department of Labor, Order allowing certiorari.

Petitioner,

110 vs.

Jacksonville Paper Company, et al.

The petition herein for a writ of certiorari to the United States Court of Appeals for the Fifth Circuit is granted.

And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

Black Diamond Steamship Corporation, Order allowing certiorari.

Petitioner,

121 vs.

Robert Stewart & Sons, Ltd., et al.

The petition herein for a writ of certiorari to the United States Court of Appeals for the Second Circuit is granted.

And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

The United States of America, Order allowing certiorari.

Petitioner,

130 vs.

Robert Stewart & Sons, Ltd., et al.

The petition herein for a writ of certiorari to the United States Court of Appeals for the Second Circuit is granted.

And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

The Farmers Reservoir and Irrigation Company, Order allowing certiorari.

Petitioner,

128 vs.

William R. McComb, Administrator of the Wage and Hour Division of the United States Department of Labor.

The petition herein for a writ of certiorari to the United States Court of Appeals for the Tenth Circuit is granted.

And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

William R. McComb, Administrator of the Wage and Hour Division of the United States Department of Labor, Order allowing certiorari.

Petitioner,

196 vs.

The Farmers Reservoir and Irrigation Company.

The petition herein for a writ of certiorari to the United States Court of Appeals for the Tenth Circuit is granted.

And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

William T. Urie, Order allowing certiorari.

Petitioner,

129 vs.

Guy A. Thompson, Trustee of the Missouri Pacific Railroad Company.

The petition herein for a writ of certiorari to the Supreme Court of the State of Missouri is granted. And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

The United States, Order allowing certiorari.

Petitioner,

132 vs.

Richard S. Cors.

The petition herein for a writ of certiorari to the Court of Claims is granted. And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

National Carbide Corporation, Order allowing certiorari.

Petitioner,

151 vs.

Commissioner of Internal Revenue.

The petition herein for a writ of certiorari to the United States Court of Appeals for the Second Circuit is granted.

And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

Air Reduction Sales Company, Order allowing certiorari.

Petitioner,

152 vs.

Commissioner of Internal Revenue.

The petition herein for a writ of certiorari to the United States Court of Appeals for the Second Circuit is granted.

And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

Pure Carbonic, Inc., Order allowing certiorari.

Petitioner,

153 vs.

Commissioner of Internal Revenue.

The petition herein for a writ of certiorari to the United States Court of Appeals for the Second Circuit is granted.

And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

Lillian A. Weade, Frederick M. Weade and Roberta L. Stinemeyer, Order allowing certiorari.

Petitioners,

179 vs.

Dichman, Wright & Pugh, Incorporated.

The petition herein for a writ of certiorari to the United States Court of Appeals for the Fourth Circuit is granted.

And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

Graver Tank & Mfg. Co., Inc., et al., Order allowing certiorari.

Petitioners,

184 vs.

The Linde Air Products Company.

The petition herein for a writ of certiorari to the United States Court of Appeals for the Seventh Circuit is granted.

And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

Graver Tank & Mfg. Co., Inc., et al., Order allowing certiorari.

Petitioners,

185 vs.

The Linde Air Products Company.

The petition herein for a writ of certiorari to the United States Court of Appeals for the Seventh Circuit is granted.

And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

Lipe Henslee, Individually, Now Residing in Davidson County, Tennessee, Collector of Internal Revenue, District of Tennessee, Order allowing certiorari.

Petitioner,

90 vs.

Union Planters Bank & Trust Company, a National Bank at Memphis, Tennessee, et al.

The petition herein for a writ of certiorari to the United States Court of Appeals for the Sixth Circuit is granted, and the case is transferred to the summary docket.

And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

Sam Hanna Fogel, Order allowing certiorari.

Petitioner,

116 vs.

The United States of America.

The petition herein for a writ of certiorari to the United States Court of Appeals for the Fifth Circuit is granted, and the case is transferred to the summary docket.

And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

Albert Ralph Petti,

Petitioner,

118 vs.

The United States of America.

ON CONSIDERATION of the motion of counsel for petitioner to dispense with the printing of the record in this case,

IT IS ORDERED by this Court that the said motion be, and it is hereby, granted.

Per Mr. Chief Justice Vinson.

Albert Ralph Petti, Order allowing certiorari.

Petitioner,

118 vs.

The United States of America.

The petition herein for a writ of certiorari to the United States Court of Appeals for the Second Circuit is granted.

And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

Alvin Krulewitch, Order allowing certiorari.

Petitioner,

143 vs.

The United States of America.

The petition herein for a writ of certiorari to the United States Court of Appeals for the Second Circuit is granted, limited to question "3" presented by the petition for the writ.

And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

The City of New York, Order allowing certiorari.

Petitioner,

168 vs.

Lewis H. Saper, as Trustee in Bankruptcy of Spotlight Productions, Inc.

The petition herein for a writ of certiorari to the United States Court of Appeals for the Second Circuit is granted, and the case is transferred to the summary docket.

And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

The Superior Court of the State of California in and for the County of Los Angeles and Farmer Bros. Co., Order allowing certiorari.

Petitioners,

191 vs.

Gay Lillefloren, et al.

The petition herein for a writ of certiorari to the Supreme Court of the State of California is granted, and the case is assigned for hearing immediately following No. 182, Giboney, et al. vs. Empire Storage and Ice Co.

And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

National Labor Relations Board, Order allowing certiorari.

Petitioner,

197 vs.

Crompton-Highland Mills, Inc.

The petition herein for a writ of certiorari to the United States Court of Appeals for the Fifth Circuit is granted, and the case is transferred to the summary docket.

And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

State of New York, Order allowing certiorari.

Petitioner,

200 vs.

Leonard H. Carter, as Trustee in Bankruptcy.

The petition herein for a writ of certiorari to the United States Court of Appeals for the Second Circuit is granted, and the case is assigned for hearing immediately following No. 168, City of New York vs. Saper, as Trustee.

And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

The United States of America, Order allowing certiorari.

Petitioner,

201 vs.

Leonard H. Carter, Trustee of Union Fabrics, Inc., Bankrupt.

The petition herein for a writ of certiorari to the United States Court of Appeals for the Second Circuit is granted, and the case is assigned for hearing immediately following Nos. 168 and 200.

And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Algoma Plywood and Veneer Company, Petitioner,

216 vs.

Wisconsin Employment Relations Board.

Order allowing certiorari.

The petition herein for a writ of certiorari to the Supreme Court of the State of Wisconsin is granted, and the case is assigned for hearing immediately following Nos. 38 and 39 which are assigned for hearing immediately following Nos. 14 and 15.

And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

Joy Oil Company, Ltd., Petitioner,

223 vs.

State Tax Commission.

Order allowing certiorari.

The petition herein for a writ of certiorari to the Supreme Court of the State of Michigan is granted, and the case is transferred to the summary docket.

And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

Max M. Lesser, Petitioner,

55 vs.

Sertner's Inc., Murray Sertner and Paul Sertner, Trading as Renofab Products Company.

On petition for writ of certiorari to the United States Court of Appeals for the Second Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Second Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Alberto Vargas,
Petitioner,
57 vs.
Esquire, Inc.

On petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Seventh Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Kammerer Corporation and Baash-Ross Tool Company,
Petitioners,
60 vs.
Ira J. McCullough.

On petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Ninth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Turner Dairy Company,
Petitioner,
61 vs.
The United States of America.

On petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Seventh Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Harold Spina, Edward Heyman, Walter Hannan, et al.,
Petitioners,
62 vs.
Carl E. Ring.

On petition for writ of certiorari to the United States Court of Appeals for the Second Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Second Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

The United States,
Petitioner,
64 vs.
C. B. Ross Company, Inc.

On petition for writ of certiorari to The Court of Claims.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Court of Claims and of the argument of counsel thereupon had, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

W. L. Sandstrom,
Petitioner,
66 vs.
California Horse Racing Board, Lloyd Wright, et al., Members of the California Horse Racing Board.

On petition for writ of certiorari to the Supreme Court of the State of California.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of California, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Horace A. Young, Betty Jean Gilbert and Patsy Marie Gilbert, Minors, etc., et al., Petitioners, vs. Asa C. Garrett, et al.

67

On petition for writ of certiorari to the Supreme Court of the State of Arkansas.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of Arkansas, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

The United States, Petitioner, vs. Bloedel Donovan Lumber Mills, a Corporation.

68

On petition for writ of certiorari to The Court of Claims.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Court of Claims and of the argument of counsel thereupon had, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

J. H. Allison & Company, Petitioner, vs. National Labor Relations Board.

69

On petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Sixth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Clifford L. Rein, on Behalf of Himself and All Other Persons Similarly Situated,
Petitioner,
70 vs.
Ray C. Johnson, as Auditor of Public Accounts of the State of Nebraska, et al.

On petition for writ of certiorari to the Supreme Court of the State of Nebraska.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of Nebraska, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

The Texas & Pacific Railway Company,
Petitioner,
72 vs.
Jessie A. Kilpatrick.

On petition for writ of certiorari to the United States Court of Appeals for the Second Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Second Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

The Texas & Pacific Railway Company,
Petitioner,
73 vs.
L. M. Parker.

On petition for writ of certiorari to the United States Court of Appeals for the Second Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Second Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

St. Regis Paper Company, Petitioner, vs. The United States.

74

On petition for writ of certiorari to The Court of Claims.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Court of Claims and of the argument of counsel thereupon had, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Trans-Pacific Corporation, et al., Petitioners, vs. George T. Goggin, Trustee in Bankruptcy.

77

On petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Ninth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

The E. C. Schroeder Company, Petitioner, vs. Virgil Clark, for Himself and as Agent of Jack Richardson, et al.

79

On petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Tenth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

International Brotherhood of Teamsters and Chauffeurs, Local Union Number 179, American Federation of Labor, et al.,

Petitioners,

80 vs.

Leo John Dinoffria, et al.

On petition for writ of certiorari to the Supreme Court of the State of Illinois.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of Illinois, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Lide Thompson, Mattie Thompson, Mary Tukes, et al.,

Petitioners,

81 vs.

Luther Thompson and H. H. Patton, Executors of the Estate of Dr. S. A. Thompson, Deceased.

On petition for writ of certiorari to the Supreme Court of the State of Arkansas.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of Arkansas, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

John H. Criner and Mary E. Criner,

Petitioners,

82 vs.

V. S. Parham, et al.

On petition for writ of certiorari to the Supreme Court of the State of Arkansas.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of Arkansas, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

The Baltimore and Ohio Railroad Company, Petitioner, vs. Buzzy Skidmore. — On petition for writ of certiorari to the United States Court of Appeals for the Second Circuit.

85

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Second Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Air Line Pilots Association, International, Petitioner, vs. Civil Aeronautics Board and National Air Lines, Inc. — On petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit.

86

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the District of Columbia Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Ed W. Ebensberger and Ella Ebensberger, Petitioners, vs. Sinclair Refining Company. — On petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit.

93

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Fifth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Celestino Iriarte, Jr., et al., Petitioners, vs. The United States of America.

94 On petition for writ of certiorari to the United States Court of Appeals for the First Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the First Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

C. M. Tingle, et al., Petitioners, vs. Anderson-Tully Company.

95 On petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Fifth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

W. E. Hedger Transportation Corporation, Petitioner, vs. Ira S. Bushey & Sons, Inc.

96 On petition for writ of certiorari to the United States Court of Appeals for the Second Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Second Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mattie McElroy, Nee Harjo,
Petitioner,
vs.
W. M. Pegg, Charles S. Szenasi and Lenna Szenasi, His Wife, et al.

On petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Tenth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Phillips Petroleum Company,
Petitioner,
vs.
Shell Oil Company, Incorporated.

On petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Fifth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mark A. Freeman,
Petitioner,
vs.
The United States of America.

On petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Seventh Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

O. Phil Nordling and Gill Nordling, Petitioners, vs. Commissioner of Internal Revenue.

105

On petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Ninth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mose Hightower and Celestine Morris, Petitioners, vs. The United States of America.

106

On petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Seventh Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Graham Flying Service, a Corporation, Petitioner, vs. Commissioner of Internal Revenue.

108

On petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Eighth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

E. E. Gentry,
Petitioner,
112 vs.
The State of North Carolina.

On petition for writ of certiorari to the Supreme Court of the State of North Carolina.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of North Carolina, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Bath Mills, Inc.,
Petitioner,
113 vs.
Theodore Odom.

On petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Fourth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Best & Co., Inc.,
Petitioner,
114 vs.
Sadie S. Miller, Doing Business Under the Name and Style of Miller's Lilliputian Shoppe.

On petition for writ of certiorari to the United States Court of Appeals for the Second Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Second Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Kathleen B. Nash Durant,
Petitioner,
119 vs.
Helen Hironimus, Warden, Federal Reformatory for Women, Alderson, West Virginia.

On petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Fourth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

R. Q. Black, Doing Business as Superior Trucking Company,
Petitioner,
120 vs.
Interstate Commerce Commission.

On petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Fifth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Georgie Reagon,
Petitioner,
122 vs.
Guy J. D'Antonio.

On petition for writ of certiorari to the Court of Appeal of the State of Louisiana, Parish of Orleans.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Court of Appeal of the State of Louisiana, Parish of Orleans, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Carter Carburetor Corporation,
Petitioner,
123 vs.
Lawrence C. Kingsland, Commissioner of Patents.

On petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the District of Columbia Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Pauline Rinn, as Executrix of the Estate of Walter P. Rinn, Deceased, et al.,
Petitioners,
124 vs.
Broadway Trust and Savings Bank, et al.

On petition for writ of certiorari to the Appellate Court of the State of Illinois, First District.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Appellate Court of the State of Illinois, First District, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Andrew De Grazia,
Petitioner,
125 vs.
The United States of America.

On petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Seventh Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

New York Life Insurance Company, Petitioner, vs. Nana M. Cooper and Mary Cooper. — On petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit.

126

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Tenth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Port Gibson Veneer & Box Company, Petitioner, vs. National Labor Relations Board. — On petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit.

127

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Fifth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Floyd Fitzsimmons, Petitioner, vs. The People of the State of Michigan. — On petition for writ of certiorari to the Supreme Court of the State of Michigan.

131

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of Michigan, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

George J. Leeds, et al., Executors of the Estate of Adolph W. E. B. Loewitz, Deceased,

Petitioners,

133 vs.

The United States.

On petition for writ of certiorari to The Court of Claims.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Court of Claims and of the argument of counsel thereupon had, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Crules R. Cheek, Trustee in Bankruptcy of West Beverly Corporation, Bankrupt,

Petitioner,

136 vs.

Division of Labor Law Enforcement, State of California.

On petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Ninth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Bloomfield Ranch, by James A. Clayton & Co., Managing Partner, Operator and Co-Owner Thereof, et al.,

Petitioners,

137 vs.

Commissioner of Internal Revenue.

On petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Ninth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Paul W. Sampsell, as Trustee in Bankruptcy for the Estate of C. A. Reed Furniture Company, a Corporation, Bankrupt,

Petitioner,

138 vs.

Lawrence Warehouse Company.

On petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Ninth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Alanda Nemours,

Petitioner,

139 vs.

J. F. Hickey, et al., Individually and as Agents of Moorlands Addition.

On petition for writ of certiorari to the Supreme Court of the State of Missouri.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of Missouri, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Federal Broadcasting System, Inc.,

Petitioner,

140 vs.

American Broadcasting Co., Inc. and Mutual Broadcasting System.

On petition for writ of certiorari to the United States Court of Appeals for the Second Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Second Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Stanley H. Borak, Petitioner, On petition for writ of certiorari to The Court of Claims.

141 vs.

The United States.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Court of Claims and of the argument of counsel thereupon had, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Cesario Campa, alias Cesar Campa, Petitioner, On petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit.

142 vs.

The United States of America.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Fifth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

A. J. Tristani, Sucrs., Inc., Petitioner, On petition for writ of certiorari to the United States Court of Appeals for the First Circuit.

144 vs.

Rafael Buscaglia, Treasurer, et al.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the First Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

R. Santaella & Brother, Inc., Petitioner,

145 vs.

Rafael Buscaglia, Treasurer, et al.

On petition for writ of certiorari to the United States Court of Appeals for the First Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the First Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Texas State Life Insurance Company, et al., Petitioners,

146 vs.

Sebe J. Houghton, Jr.

On petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Fifth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Guy A. Thompson, Trustee for Missouri Pacific Railway Company, et al., Petitioners,

148 vs.

Joseph L. Spearmon, Samuel J. Rhodes and G. T. Holmes.

On petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Eighth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

James C. Titus, Renata Titus, Renata M. Russell, et al.,

Petitioners,

149 vs.

The Spitzer-Rorick Trust & Savings Bank, et al.

On petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Sixth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

New Amsterdam Casualty Company,

Petitioner,

154 vs.

Mrs. Camay Ardion Soileau, Tutrix, for the Use and Benefit of Her Minor Son, Joseph C. Soileau.

On petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Fifth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Edward M. Winston,

Petitioner,

157 vs.

County of Cook, a Municipal Corporation of the State of Illinois, et al.

On petition for writ of certiorari to the Supreme Court of the State of Illinois.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of Illinois, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Edith Matthews and Agnes Billings, Petitioners,
158 vs.
Mary Woody, et al.

On petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the District of Columbia Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Pacific Coast Wholesalers Association, Petitioner,
159 vs.
Clover Leaf Freight Lines, Inc., Interstate Dispatch, Inc., et al.

On petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Seventh Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

In the Matter of Samuel Rose, Petitioner.
160

On petition for writ of certiorari to the Appellate Division of the Supreme Court of the State of New York, First Judicial Department.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Appellate Division of the Supreme Court of the State of New York, First Judicial Department, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Chicago Pneumatic Tool Company, Petitioner, vs. Independent Pneumatic Tool Company. — On petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit.

161

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Seventh Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Excel Auto Radiator Company, Petitioner, vs. The Bishop and Babcock Manufacturing Company. — On petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit.

162

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Sixth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Edward J. Miller, d.b.a. Perma-Stone Company, Petitioner, vs. Emil P. Zaharias, Chester Polanis, d.b.a. Lincoln Home Builders, et al. — On petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit.

163

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Seventh Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Edward J. Miller, d.b.a. Perma-Stone Company,

Petitioner,

164 vs.

Emil P. Zaharias, Chester Polanis, d.b.a. Lincoln Home Builders, et al.

On petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Seventh Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

James A. Akers and Lela Akers, His Wife,

Petitioners,

165 vs.

Frank Scofield, Individually and as Collector of Internal Revenue for the First District of Texas.

On petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Fifth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

J. Howard Johnson, etc., et al.,

Petitioners,

166 vs.

John M. Smith, County Treasurer of the County of Albany, et al.

On petition for writ of certiorari to the Supreme Court of the State of New York, Albany County.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of New York, Albany County, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Railway Express Agency, Inc., Petitioner,

167 vs.

Glynn C. Mallory.

On petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Fifth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Frank A. Thompson, Trustee for the St. Louis-San Francisco Railway Company, Debtor, Petitioner,

169 vs.

Louise Camp, Administratrix of the Estate of Ervin (Irving) Camp, Deceased.

On petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Sixth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mary Louise Reinold, Petitioner,

171 vs.

The United States of America.

On petition for writ of certiorari to the United States Court of Appeals for the Second Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Second Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Jerry Spagnuolo, Petitioner, vs. The United States of America. — On petition for writ of certiorari to the United States Court of Appeals for the Second Circuit.

172

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Second Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Harvey De Waters, Petitioner, vs. Macklin Company. — On petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit.

173

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Sixth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

The United States of America, Petitioner, vs. Reuben D. Silliman. — On petition for writ of certiorari to the United States Court of Appeals for the Third Circuit.

174

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Third Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Ecco High Frequency Corporation, Petitioner, vs. Commissioner of Internal Revenue.

175

On petition for writ of certiorari to the United States Court of Appeals for the Second Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Second Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

J. R. Mason, Petitioner, vs. Paradise Irrigation District.

177

On petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Ninth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mario Mercado Riera, Accounting as Executor of the Estate of Marie Mercado Montalvo, Petitioner, vs. Adrian Mercado Riera and Maria Luisa Mercado Riera De Belaval.

180

On petition for writ of certiorari to the United States Court of Appeals for the First Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the First Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

William L. Chesbrough and Mildred J. Chesbrough,

Petitioners,

181 vs.

The Western and Southern Life Insurance Company, et al.

On petition for writ of certiorari to the Supreme Court of the State of Ohio.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of Ohio, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Remington Rand, Inc.,

Petitioner,

183 vs.

Royal Typewriter Company, Inc.

On petition for writ of certiorari to the United States Court of Appeals for the Second Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Second Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Marion A. Hart, Frank C. Hart, Jr., et al.,

Petitioners,

186 vs.

The Mutual Benefit Life Insurance Company of Newark, New Jersey.

On petition for writ of certiorari to the United States Court of Appeals for the Second Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Second Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Dr. Arnold M. Landsborough,
Petitioner,
190 vs.
The United States of America.

On petition for writ of certiorari to the United States Court of Appea for the Sixth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Sixth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Hugh Mamon Rakes,
Petitioner,
192 vs.
The United States of America.

On petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Fourth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Central Investment Corporation,
Petitioner,
194 vs.
Commissioner of Internal Revenue.

On petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Ninth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Chicago and North Western Railway Company, Petitioner, vs. Betty Matsumoto. On petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit.

199

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Seventh Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Euterpe Economos, Petitioner, vs. Commissioner of Internal Revenue. On petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit.

202

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Fourth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Philip Paris, Miles A. Rogers, Herman Meyrich, et al., etc., Petitioners, vs. Metropolitan Life Insurance Company, et al. On petition for writ of certiorari to the United States Court of Appeals for the Second Circuit.

203

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Second Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Welton Ladner and Lander Necaise, Petitioners, vs. The United States of America.

207

On petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Fifth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Atlantic Coast Line Railroad Company, Petitioner, vs. Stanley T. McCready.

208

On petition for writ of certiorari to the Supreme Court of the State of South Carolina.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of South Carolina, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mrs. Woodrow Virginia Stone, Petitioner, vs. Strickland Transportation Company.

210

On petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Fifth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

W. R. Kelley,
Petitioner,
211 vs.
Union Tank and Supply Company.

On petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Fifth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Bank of America National Trust and Savings Association,
Petitioner,
213 vs.
The United States of America.

On petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Ninth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

United Services Life Insurance Company,
Petitioner,
215 vs.
Richard H. Boye and Lucy Bautz Boye.

On petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the District of Columbia Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

E. F. Horner,
Petitioner,
217 vs.
The County of Winnebago and A. R. Carter.

On petition for writ of certiorari to the Appellate Court of the State of Illinois, 2nd District.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Appellate Court of the State of Illinois, 2nd District, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

A. F. Whitney,
Petitioner,
220 vs.
T. M. Madden.

On petition for writ of certiorari to the Supreme Court of the State of Illinois.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of Illinois, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Railway Employes' Department of the American Federation of Labor, et al.,
Petitioners,
222 vs.
Northern Pacific Railway Company.

On petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Eighth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Charles E. Austin, Inc.,

Petitioner,

224 vs.

Harry F. Kelly, Secretary of State.

On petition for writ of certiorari to the Supreme Court of the State of Michigan.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of Michigan, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Minnesota Mining & Manufacturing Company,

Petitioner,

230 vs.

Industrial Tape Corporation.

On petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Seventh Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Pennsylvania-Central Airlines Corporation,

Petitioner,

239 vs.

Marjorie Shoaf Duskin, Executrix of the Last Will and Testament of Delmar D. Duskin, Jr., Deceased.

On petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Sixth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Joseph M. Taussig,

Petitioner,

78 vs.

Honorable John P. Barnes, United States District Judge, etc.

ON CONSIDERATION of the motion of Mural J. Winstin and Horace A. Young for leave to file a brief as amici curiae in this case,

IT IS ORDERED by this Court that the said motion be, and it is hereby, granted.

Per Mr. Chief Justice Vinson.

Joseph M. Taussig,

Petitioner,

78 vs.

Honorable John P. Barnes, United States District Judge for the Northern District of Illinois.

On petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Seventh Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

People of the State of Illinois, ex rel. Paysoff Tinkoff, Individually, etc., et al.,

Petitioners,

102 vs.

Northwestern University, et al.

ON CONSIDERATION of the motion for leave to proceed on mimeographed copies of the petition and record in this case,

IT IS ORDERED by this Court that the said motion be, and it is hereby, granted.

Per Mr. Chief Justice Vinson.

People of the State of Illinois, ex rel. Paysoff Tinkoff, Individually and as Father and Next Friend of Paysoff Tinkoff, Jr., and Paysoff Tinkoff, Jr.,

Petitioners,

102 vs.

Northwestern University, an Illinois Corporation, et al.

On petition for writ of certiorari to the Appellate Court of the State of Illinois, First District.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Appellate Court of the State of Illinois, First District, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Frank Lobaido,

Petitioner,

103 vs.

The People of the State of Michigan; and

Frank Lobaido,

Petitioner,

104 vs.

The People of the State of Michigan.

ON CONSIDERATION of the motion to dispense with the printing of the record of the Recorder's Court in these cases,

IT IS ORDERED by this Court that the said motion be, and it is hereby, granted.

Per Mr. Chief Justice Vinson.

Frank Lobaido,
Petitioner,
103 vs.
The People of the State of Michigan.

On petition for writ of certiorari to the Recorder's Court of the City of Detroit, State of Michigan.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Recorder's Court of the City of Detroit, State of Michigan, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Frank Lobaido,
Petitioner,
104 vs.
The People of the State of Michigan.

On petition for writ of certiorari to the Supreme Court of the State of Michigan.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of Michigan, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

William M. Lindenfeld,
Petitioner,
147 vs.
The United States of America.

ON CONSIDERATION of the motion to dispense with the printing of the record in this case,

IT IS ORDERED by this Court that the said motion be, and it is hereby, granted.

Per Mr. Chief Justice Vinson.

William M. Lindenfeld,
Petitioner,
147 vs.
The United States of America.

On petition for writ of certiorari to the United States Court of Appeals for the Second Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Second Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Massachusetts Mutual Life Insurance Company,
Petitioner,
155 vs.
Selene R. Smith.

On petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Fifth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Black took no part in the consideration or decision of this application.

Margaret C. Donovan,
Petitioner,
156 vs.
Queensboro Corporation, Garden Housing Corporation, et al.

On petition for writ of certiorari to the United States Court of Appeals for the Second Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Second Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Margaret C. Donovan,

Petitioner,

49, Misc. vs.

Queensboro Corporation, et al.

ON CONSIDERATION of the motion for leave to file a petition for writ of certiorari in this case,

IT IS ORDERED by this Court that the said motion be, and it is hereby, denied.

Per Mr. Chief Justice Vinson.

George C. Reining,

Petitioner,

176 vs.

The United States of America.

ON CONSIDERATION of the motion for leave to amend the petition f writ of certiorari in this case,

IT IS ORDERED by this Court that the said motion be, and it is hereby, granted.

Per Mr. Chief Justice Vinson.

George C. Reining, Petitioner, vs. The United States of America.

On petition for writ of certiorari t the United States Court of Appeals for the Fifth Circuit.

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ON CONSIDERATION of the petition for a writ of certiorari herein the United States Court of Appeals for the Fifth Circuit, it is ordered b this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Robert L. McClendon,

Petitioner,

195 vs.

L. F. Utecht, as Warden of Minnesota State Prison.

ON CONSIDERATION of the motion to dispense with the printing of the petition, brief, and record in this case,

IT IS ORDERED by this Court that the said motion be, and it is hereby, granted.

Per Mr. Chief Justice Vinson.

Robert L. McClendon,

Petitioner,

195 vs.

L. F. Utecht, as Warden of Minnesota State Prison.

On petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Eighth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

William Shapiro,

Petitioner,

49 O.T. '47 vs.

The United States of America.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

The United States of America,

Appellant,

97 O.T. '47 vs.

James Hoffman.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

A. V. Pownall, Grace M. Pownall and
Hennes-Morgan Machinery Company, Ltd.,

Petitioners,

74 O.T. '47 vs.

The United States of America.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Alexander Wool Combing Company,

Petitioner,

95 O.T. '47 vs.

The United States of America.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Earl J. Toomer, et al.,

Appellants,

415 O.T. '47 vs.

J. M. Witsell, et al.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

The United States of America,

Petitioner,

432 O.T. '47 vs.

Tillie Zazove.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Andrew W. Comstock, a Holder of Missouri Pacific Railroad Company 5 1/4% Secured Serial Gold Bonds, etc.,

Petitioner,

451 O.T. '47 vs.

Group of Institutional Investors, etc., et al.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Francis Joseph Gryger,

Petitioner,

541 O.T. '47 vs.

C. J. Burke, Warden, Eastern State Penitentiary, Philadelphia, Pennsylvania.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

The United States of America, ex rel. Hans Ackermann,

Petitioner,

584 O.T. '47 vs.

J. L. O'Rourke, Officer in Charge of Alien Internment Camp, etc.; and

The United States of America, ex rel. Frieda Ackermann,

Petitioner,

585 O.T. '47 vs.

J. L. O'Rourke, Officer in Charge of Alien Internment Camp, etc.

A petition for rehearing having been filed in these cases,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Kurt G. W. Ludecke,

Petitioner,

723 O.T. '47 vs.

W. Frank Watkins, as District Director of Immigration.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Michael Downs,

Petitioner,

764 O.T. '47 vs.

Commissioner of Internal Revenue.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

C. E. Eubanks,

Petitioner,

775 O.T. '47 vs.

Guy A. Thompson, Receiver or Trustee of the Missouri Pacific Railroad Company.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

J. R. Mason,

Petitioner,

796 O.T. '47 vs.

Merced Irrigation District.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Bay Ridge Operating Co., Inc.,

Petitioner,

366 O.T. '47 vs.

James Aaron, Albert Alston, James Philip Brooks, et al.; and

Huron Stevedoring Corporation,

Petitioner,

367 O.T. '47 vs.

Leo Blue, Nathaniel Dixon, Christian Elliott, et al.

A petition for rehearing having been filed in these cases,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

The motions of the International Longshoremen's Association, New York Shipping Association, Waterfront Employees Association, and American Federation of Labor for leave to file briefs as amici curiae are granted.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decisio of these applications.

Mr. Justice Frankfurter, Mr. Justice Jackson, and Mr. Justice Burton are of the opinion the petition for rehearing should be granted.

William Clark,

Petitioner,

470 O.T. '47 vs.

The United States.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Murphy and Mr. Justice Jackson took no part in the consideration or decision of this application.

Mary Morton West, Osage Allottee
No. 192,

Appellant,

489 O.T. '47 vs.

Oklahoma Tax Commission.

ON CONSIDERATION of the motion to extend the time to file a petition for rehearing in this case,

IT IS ORDERED by this Court that the said motion be, and it is hereby, denied.

Per Mr. Chief Justice Vinson.

Irwin Kott, Israel Neddleman and
Harry Weiner,

Petitioners,

532 O.T. '47 vs.

The United States of America.

ON CONSIDERATION of the motion for reconsideration of the petition for rehearing in this case or, in the alternative, for leave to file a second petition for rehearing,

IT IS ORDERED by this Court that the said motion be, and it is hereby, denied.

Per Mr. Chief Justice Vinson.

Harry J. Alker, Jr., et al., etc.,

Petitioners,

697 O.T. '47 vs.

Federal Deposit Insurance Corporation.

ON CONSIDERATION of the motion for leave to file a second petit for rehearing in this case and supplement thereto,

IT IS ORDERED by this Court that the said motion be, and it is hereby, denied.

Per Mr. Chief Justice Vinson.

Morgan Easter,

Petitioner,

210, Misc. O.T. '47 vs.

People of the State of Illinois.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that th said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Hilliard Sanders,

Petitioner,

387 Misc. O.T. '47 vs.

James A. Johnston, Warden.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that th said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

W. E. Montgomery and Eugene Thomas Booth,

Petitioners,

416 Misc. O.T. '47 vs.

The United States of America.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Henry L. Wilson,

Petitioner,

447 Misc. O.T. '47 vs.

People of the State of Illinois.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Allen Dixon,

Petitioner,

476 Misc. O.T. '47 vs.

People of the State of Illinois.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Gene McCann,

Petitioner,

480 Misc. O.T. '47 vs.

Tom C. Clark, Attorney General.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

In the Matter of Homer E. Bodenmiller,

Petitioner.

490, Misc. O.T. '47.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Jack Gibson Moss,

Petitioner,

504, Misc. O.T. '47 vs.

Walter A. Hunter, Warden.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Fred Tate,

Petitioner,

507, Misc. O.T. '47 vs.

Robert A. Heinze, Warden.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Lawson Odell,

Petitioner,

510 Misc. O.T. '47 vs.

R. H. Hudspeth, Warden.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Roy M. Johnson,

Petitioner,

515 Misc. O.T. '47 vs.

Ben B. Stewart, Warden.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Gilbert Asbell,

Petitioner,

518 Misc. O.T. '47 vs.

Ben B. Stewart, Warden.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Ralph O. Lucas,

Petitioner,

540 Misc. O.T. '47 vs.

State of Texas.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Joseph A. Farrell,

Petitioner,

551 Misc. O.T. '47 vs.

Francis J. W. Lanagan, Warden.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Herbert H. Hall,

Petitioner,

553 Misc. O.T. '47 vs.

The United States of America, and

Joe M. Gray,

Petitioner,

554 Misc. O.T. '47 vs.

The United States of America.

A petition for rehearing having been filed in these cases,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Bernard M. Shotkin, etc., et al.,

Petitioners,

559 Misc. O.T. '47 vs.

Thomas A. Edison, Inc.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Bernard M. Shotkin,

Petitioner,

561 Misc. O.T. '47 vs.

Albert D. Kaplan, et al.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

John Harry McGough,

Petitioner,

306, Misc. O.T. '47 vs.

The United States of America.

ON CONSIDERATION of the petition for reconsideration of the order denying rehearing in this case,

IT IS ORDERED by this Court that the said petition be, and it is hereby, denied.

Per Mr. Chief Justice Vinson.

Rocco Taurisano,

Petitioner,

226, Misc. O.T. '47 vs.

People of the State of New York.

ON CONSIDERATION of the motion for leave to withdraw the record in this case,

IT IS ORDERED by this Court that the said motion be, and it is hereby, denied.

Per Mr. Chief Justice Vinson.

William Totten,

Petitioner,

5, Misc. vs.

Robert A. Heinze, Warden.

On petition for writ of certiorari to the Supreme Court of the State of California.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of California, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Lester A. Samman, Petitioner, vs. Joseph E. Ragen, Warden. — On petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit.

6, Misc.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Seventh Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Cecil C. Crebs, Petitioner, vs. R. H. Hudspeth, Warden. — On petition for writ of certiorari to the Supreme Court of the State of Kansas.

8, Misc.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of Kansas, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

James Bolden, Petitioner, vs. Joseph E. Ragen, Warden. — On petition for writ of certiorari to the Criminal Court of Cook County of the State of Illinois.

9, Misc.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Criminal Court of Cook County of the State of Illinois, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Emanuel Cannady, Petitioner, vs. Joseph E. Ragen, Warden.

13, Misc.

On petition for writ of certiorari to the Criminal Court of Cook County of the State of Illinois.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Criminal Court of Cook County of the State of Illinois, It is order by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Roger Touhy, Petitioner, vs. Joseph E. Ragen, Warden.

14, Misc.

On petition for writ of certiorari to the Circuit Court of Will County of the State of Illinois.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Circuit Court of Will County of the State of Illinois, It is ordere by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Phillip McMullen, Petitioner, vs. People of the State of Illinois.

16, Misc.

On petition for writ of certiorari to the Supreme Court of the State of Illinois.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of Illinois, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Samuel D. Collins, Petitioner, 18, Misc. vs. Clinton T. Duffy, Warden. — On petition for writ of certiorari to the Supreme Court of the State of California.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of California, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

James Duane, Petitioner, 21, Misc. vs. Robert A. Heinze, Warden. — On petition for writ of certiorari to the District Court of Appeal, 3rd Appellate District, State of California.

ON CONSIDERATION of the petition for a writ of certiorari herein to the District Court of Appeal, 3rd Appellate District, State of California, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Walter Engle, Petitioner, 23, Misc. vs. Ben B. Stewart, Warden. — On petition for writ of certiorari to the Supreme Court of the State of Missouri.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of Missouri, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Forest Wall, Petitioner, vs. People of the State of Michigan.

On petition for writ of certiorari to the Supreme Court of the State of Michigan.

24, Misc.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of Michigan, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Roy Thompson, Petitioner, vs. Ralph E. Benson, Warden.

On petition for writ of certiorari to the Supreme Court of the State of Michigan.

25, Misc.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of Michigan, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Reese Milford, Petitioner, vs. People of the State of New York.

On petition for writ of certiorari to the Appellate Division of the Supreme Court of the State of New York, First Judicial Department.

26, Misc.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Appellate Division of the Supreme Court of the State of New York, First Judicial Department, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Arthur J. Pelton, Petitioner, vs. The United States of America. — On petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit.

27, Misc.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the District of Columbia Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

George Blaha, Petitioner, vs. Joseph E. Ragen, Warden. — On petition for writ of certiorari to the Supreme Court of the State of Illinois.

31, Misc.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of Illinois, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Richard Hartnett, Petitioner, vs. R. H. Hudspeth, Warden. — On petition for writ of certiorari to the Supreme Court of the State of Kansas.

33, Misc.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of Kansas, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Sandy Wilson, Petitioner, vs. Joseph E. Ragen, Warden.

36, Misc.

On petition for writ of certiorari to the Circuit Court of St. Clair County of the State of Illinois.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Circuit Court of St. Clair County of the State of Illinois, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Ed. Williams, Petitioner, vs. Joseph E. Ragen, Warden.

37, Misc.

On petition for writ of certiorari to the Circuit Court of St. Clair County of the State of Illinois.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Circuit Court of St. Clair County of the State of Illinois, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Howell Cobb, Petitioner, vs. Walter A. Hunter, Warden.

38, Misc.

On petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Tenth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Johnnie Allen, Petitioner, vs. Joseph E. Ragen, Warden.

40, Misc.

On petition for writ of certiorari to the Criminal Court of Cook County of the State of Illinois.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Criminal Court of Cook County of the State of Illinois, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Roy Eaton, Petitioner, vs. Joseph E. Ragen, Warden.

42, Misc.

On petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Seventh Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Dewey Gooch, Petitioner, vs. L. E. Wilhite, Presiding Judge.

43, Misc.

On petition for writ of certiorari to the Circuit Court of Scott County of the State of Illinois.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Circuit Court of Scott County of the State of Illinois, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Sam Hryciuk,
Petitioner,
44, Misc. vs.
Joseph E. Ragen, Warden.

On petition for writ of certiorari to the Criminal Court of Cook County of the State of Illinois.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Criminal Court of Cook County of the State of Illinois, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

David W. Townsend,
Petitioner,
45, Misc. vs.
Clinton T. Duffy, Warden.

On petition for writ of certiorari to the Supreme Court of the State of California.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of California, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Cecil Swain,
Petitioner,
46, Misc. vs.
Clinton T. Duffy, Warden.

On petition for writ of certiorari to the Supreme Court of the State of California.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of California, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Harold L. Lawrence, Petitioner, vs. State of Missouri. — On petition for writ of certiorari to the Supreme Court of the State of Missouri.

51, Misc.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of Missouri, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Earl Reno, Petitioner, vs. People of the State of Michigan. — On petition for writ of certiorari to the Supreme Court of the State of Michigan.

52, Misc.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of Michigan, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Alexander St. John, Petitioner, vs. Walter Nierstheimer, Warden. — On petition for writ of certiorari to the Circuit Court of Randolph County of the State of Illinois.

56, Misc.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Circuit Court of Randolph County of the State of Illinois, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Vincent Clark, Petitioner, vs. Joseph E. Ragen, Warden. — On petition for writ of certiorari to the Circuit Court of Hancock County of the State of Illinois.

58, Misc.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Circuit Court of Hancock County of the State of Illinois, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Harris Bailey, Petitioner, vs. Walter Nierstheimer, Warden. — On petition for writ of certiorari to the Circuit Court of Randolph County of the State of Illinois.

59, Misc.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Circuit Court of Randolph County of the State of Illinois, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Calvin Barnett, Petitioner, vs. Joseph E. Ragen, Warden. — On petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit.

60, Misc.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Seventh Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Everett Lee, Petitioner, vs. Joseph E. Ragen, Warden. — On petition for writ of certiorari to the Circuit Court of Will County of the State of Illinois.

62, Misc.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Circuit Court of Will County of the State of Illinois, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Joseph Saunders, Petitioner, vs. People of the State of Michigan. — On petition for writ of certiorari to the Supreme Court of the State of Michigan.

64, Misc.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of Michigan, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

R. B. Sanner, Petitioner, vs. State of Maryland. — On petition for writ of certiorari to the Court of Appeals of the State of Maryland.

65, Misc.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Court of Appeals of the State of Maryland, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Julius Edward Epple, Petitioner, vs. Clinton T. Duffy, Warden. — On petition for writ of certiorari to the Supreme Court of the State of California.

66, Misc.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of California, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

John Brown, Petitioner, vs. State of South Carolina. — On petition for writ of certiorari to the Supreme Court of the State of South Carolina.

68, Misc.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of South Carolina, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Clarence Murray, Petitioner, vs. Joseph E. Ragen, Warden. — On petition for writ of certiorari to the Circuit Court of McLean County of the State of Illinois.

69, Misc.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Circuit Court of McLean County of the State of Illinois, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Joseph Devito and Anthony Tommasone, Petitioners, vs. State of New Jersey.

On petition for writ of certiorari to the Court of Errors and Appeals of the State of New Jersey.

71, Misc.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Court of Errors and Appeals of the State of New Jersey, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

David Flannigan, Petitioner, vs. Joseph E. Ragen, Warden.

On petition for writ of certiorari to the Criminal Court of Cook County of the State of Illinois.

74, Misc.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Criminal Court of Cook County of the State of Illinois, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Joe Washington, Petitioner, vs. Joseph E. Ragen, Warden.

On petition for writ of certiorari to the Circuit Court of Will County of the State of Illinois.

75, Misc.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Circuit Court of Will County of the State of Illinois, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Casmere Jurczyszyn, Petitioner, vs. Michigan Parole Board.

On petition for writ of certiorari to the Supreme Court of the State of Michigan.

76, Misc.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of Michigan, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Jay Paul Shelton, Petitioner, vs. The United States of America.

On petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit.

77, Misc.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the District of Columbia Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Bruce Pierce, Petitioner, vs. Tom Smith, Superintendent of Washington State Penitentiary.

On petition for writ of certiorari to the Supreme Court of the State of Washington.

81, Misc.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of Washington, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Robert Frazier, Petitioner, vs. Joseph E. Ragen, Warden.

On petition for writ of certiorari to the Circuit Court of Will County, State of Illinois.

82, Misc.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Circuit Court of Will County, State of Illinois, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

John Slobodion, Petitioner, vs. People of the State of California.

On petition for writ of certiorari to the Supreme Court of the State of California.

83, Misc.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of California, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Edward O. Saxton, Petitioner, vs. People of the State of Illinois.

On petition for writ of certiorari to the Supreme Court of the State of Illinois.

85, Misc.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of Illinois, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Henry Williams and Maxwell Bowie, Petitioners, 89, Misc. vs. People of the State of California.

On petition for writ of certiorari to the Supreme Court of the State of California.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of California, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Chester F. Hibbs, Petitioner, 91, Misc. vs. State of Oklahoma.

On petition for writ of certiorari to the Criminal Court of Appeals of the State of Oklahoma.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Criminal Court of Appeals of the State of Oklahoma, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Paul Yankowski, Petitioner, 92, Misc. vs. People of the State of New York.

On petition for writ of certiorari to the Court of General Sessions, New York County, State of New York.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Court of General Sessions, New York County, State of New York, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

William Stewart, Petitioner, vs. Joseph E. Ragen, Warden.

94, Misc.

On petition for writ of certiorari to the Circuit Court of Will County, State of Illinois.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Circuit Court of Will County, State of Illinois, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Frank Riley, Petitioner, vs. The Citizens National Bank of Waco.

95, Misc.

On petition for writ of certiorari to the Court of Civil Appeals of the State of Texas, 10th Supreme Judicial District.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Court of Civil Appeals of the State of Texas, 10th Supreme Judicial District, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

James Gates, Petitioner, vs. Circuit Court of Hancock County, Illinois.

97, Misc.

On petition for writ of certiorari to the Circuit Court of Hancock County, State of Illinois.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Circuit Court of Hancock County, State of Illinois, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Lord Merrymood, Petitioner, vs. Joseph E. Ragen, Warden. — On petition for writ of certiorari to the Criminal Court of Cook County, State of Illinois.

105, Misc.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Criminal Court of Cook County, State of Illinois, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

James Montgomery, Petitioner, vs. Joseph E. Ragen, Warden. — On petition for writ of certiorari to the Circuit Court of Lake County, State of Illinois.

107, Misc.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Circuit Court of Lake County, State of Illinois, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

James Garcia, Petitioner, vs. State of New York. — On petition for writ of certiorari to the County Court of Broome County, State of New York.

108, Misc.

ON CONSIDERATION of the petition for a writ of certiorari herein to the County Court of Broome County, State of New York, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Kenneth Vaughn, Petitioner, vs. Walter Nierstheimer, Warden. — On petition for writ of certiorari to the Circuit Court of Williamson County, State of Illinois.

110, Misc.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Circuit Court of Williamson County, State of Illinois, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Ernest J. Rogers, Petitioner, vs. Joseph E. Ragen, Warden. — On petition for writ of certiorari to the Criminal Court of Cook County, State of Illinois.

111, Misc.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Criminal Court of Cook County, State of Illinois, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Herbert Mezo, Petitioner, vs. Walter Nierstheimer, Warden. — On petition for writ of certiorari to the Circuit Court of Williamson County, State of Illinois.

112, Misc.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Circuit Court of Williamson County, State of Illinois, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Joseph Cossentino, Petitioner, vs. State of New York. 113, Misc.

On petition for writ of certiorari to the Court of Appeals of the State of New York.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Court of Appeals of the State of New York, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Ray P. Harris, Petitioner, vs. Walter Nierstheimer, Warden. 17, Misc.

On petition for writ of certiorari to the Circuit Court of Randolph County of the State of Illinois.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Circuit Court of Randolph County of the State of Illinois, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Ray P. Harris, Petitioner, vs. Walter Nierstheimer, Warden. 17, Misc.

ON CONSIDERATION of the motion for leave to file a petition for writ of mandamus herein,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Wallace B. Craig, Petitioner, vs. Robert A. Heinze, Warden. 20, Misc. — On petition for writ of certiorari to the Supreme Court of the State of California.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of California, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Wallace B. Craig, Petitioner, vs. Robert A. Heinze, Warden. 20, Misc.

ON CONSIDERATION of the motion for leave to file a petition for writ of habeas corpus herein,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Harry Eyer, Petitioner, vs. Edwin T. Swenson, Warden. 22, Misc. — On petition for writ of certiorari to the Court of Appeals of the State of Maryland.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Court of Appeals of the State of Maryland, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Harry Eyer,

Petitioner,

22, Misc. vs.

Edwin T. Swenson, Warden.

ON CONSIDERATION of the motion for leave to file a petition for writ of habeas corpus herein,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Israel White,

Petitioner,

35, Misc. vs.

Joseph E. Ragen, Warden.

On petition for writ of certiorari to the Circuit Court of Will County of the State of Illinois.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Circuit Court of Will County of the State of Illinois, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Israel White,

Petitioner,

35, Misc. vs.

Joseph E. Ragen, Warden.

ON CONSIDERATION of the motion for leave to file a petition for writ of habeas corpus herein,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Sam Buford,

Petitioner,

70, Misc. vs.

Joseph E. Ragen, Warden.

On petition for writ of certiorari to the Criminal Court of Cook County of the State of Illinois.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Criminal Court of Cook County of the State of Illinois, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Sam Buford,

Petitioner,

70, Misc. vs.

Joseph E. Ragen, Warden.

ON CONSIDERATION of the motion for leave to file a petition for writ of habeas corpus herein,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

William H. Jackson,

Petitioner,

34, Misc. vs.

W. H. Hiatt, Warden.

ON CONSIDERATION of the motion for leave to file a petition for writ of habeas corpus herein,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Salvatore Didato,

Petitioner,

63, Misc. vs.

Francis C. Shaw, Director.

ON CONSIDERATION of the motion for leave to file a petition for writ of habeas corpus herein,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Chester Richardson,

Petitioner,

72, Misc. vs.

State of Missouri.

ON CONSIDERATION of the motion for leave to file a petition for writ of habeas corpus herein,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Ex parte Percy A. Whistler,

Petitioner.

79, Misc.

ON CONSIDERATION of the motion for leave to file a petition for writ of habeas corpus herein,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Ex parte Paulo Caruso,

Petitioner.

84, Misc.

ON CONSIDERATION of the motion for leave to file a petition for writ of habeas corpus herein,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Carl Joseph Zell,

Petitioner,

87, Misc. vs.

J. Leroy Wright, Warden of the Maryland House of Correction.

ON CONSIDERATION of the motion for leave to file a petition for writ of habeas corpus herein,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Wade H. Langford,

Petitioner,

101, Misc. vs.

Nathan Mayo, as State Prison Custodian.

ON CONSIDERATION of the motion for leave to file a petition for writ of habeas corpus herein,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Samuel White,

Petitioner,

104, Misc. vs.

Federal Correctional Institution,
Milan, Michigan.

ON CONSIDERATION of the motion for leave to file a petition for writ of habeas corpus herein,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

In the Matter of Franz Karl Stattmann,

28, Misc. Petitioner;

In the Matter of Walter Hohler,

39, Misc. Petitioner;

In the Matter of Franz Weiss,

93, Misc. Petitioner; and

In the Matter of Erich Wentzel,

103, Misc. Petitioner.

Treating the application in each of these cases as a motion for leave to file a petition for an original writ of habeas corpus,

It is ordered by this Court that leave to file be, and it is hereby, denied.

Per Mr. Chief Justice Vinson.

The Chief Justice, Mr. Justice Reed, Mr. Justice Frankfurter, and Mr. Justice Burton are of the opinion that there is want of jurisdiction.

Mr. Justice Black, Mr. Justice Douglas, Mr. Justice Murphy, and Mr. Justice Rutledge are of the opinion that the motions for leave to file should be granted and that the cases should be set for argument forthwith.

Mr. Justice Jackson took no part in the consideration or decision of these applications.

William Fraser,

Petitioner,

11, Misc. vs.

The United States of America; and

William Fraser, et al.,

Petitioners,

12, Misc. vs.

The United States of America.

ON CONSIDERATION of the motion for leave to withdraw the petitions for writs of mandamus in these cases,

IT IS ORDERED by this Court that the said motion be, and it is hereby, granted.

Per Mr. Chief Justice Vinson.

Earnest W. Howell,

Petitioner,

61, Misc. vs.

Tom Clark, Attorney General.

ON CONSIDERATION of the motion for leave to file a petition for writ of mandamus herein,

IT IS ORDERED by this Court that the said motion be, and it is hereby, denied.

Per Mr. Chief Justice Vinson.

Daisy D. Wilson,

Petitioner,

96, Misc. vs.

Ralph S. Hinman, et al.

ON CONSIDERATION of the motion for leave to file a petition for writ of mandamus herein,

IT IS ORDERED by this Court that the said motion be, and it is hereby, denied.

Per Mr. Chief Justice Vinson.

In the Matter of Whitia Stinson,

7, Misc. Petitioner.

ON CONSIDERATION of the petition submitted herein by Whitia Stinson,

IT IS ORDERED by this Court that the said petition be, and it is hereby, denied.

Per Mr. Chief Justice Vinson.

James Medlock,

Petitioner,

15, Misc. vs.

Joseph E. Ragen, Warden.

ON CONSIDERATION of the petition submitted herein by James Medlock,

IT IS ORDERED by this Court that the said petition be, and it is hereby, denied.

Per Mr. Chief Justice Vinson.

Arthur R. Harper,

Petitioner,

29, Misc. vs.

People of the State of Michigan.

ON CONSIDERATION of the petition submitted herein by Arthur R. Harper,

IT IS ORDERED by this Court that the said petition be, and it is hereby, denied.

Per Mr. Chief Justice Vinson.

Walter Mitchell,

Petitioner,

57, Misc. vs.

Joseph E. Ragen, Warden.

ON CONSIDERATION of the petition submitted herein by Walter Mitchell,

IT IS ORDERED by this Court that the said petition be, and it is hereby, denied.

Per Mr. Chief Justice Vinson.

In the Matter of William M. Lee,

48, Misc. Petitioner.

ON CONSIDERATION of the application submitted herein by William M. Lee,

IT IS ORDERED by this Court that the said application be, and it is hereby, denied.

Per Mr. Chief Justice Vinson.

E. R. Jackson,

Petitioner,

80, Misc. vs.

State of Oklahoma.

ON CONSIDERATION of the petition for appeal submitted herein by E. R. Jackson,

IT IS ORDERED by this Court that the said petition be, and it is hereby, denied.

Per Mr. Chief Justice Vinson.

Silas S. McKain,

Petitioner,

88, Misc. vs.

State of Louisiana.

ON CONSIDERATION of the application submitted herein by Silas S. McKain,

IT IS ORDERED by this Court that the said application be, and it is hereby, denied.

Per Mr. Chief Justice Vinson.

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The United States of America, ex rel. Stanley Joseph Pasela,

Petitioner,

58 vs.

Frank W. Fenno, Jr., Captain of the United States Naval Submarine Base.

On writ of certiorari to the United States Court of Appeals for the Second Circuit.

IT APPEARING to the Court that counsel for the respective parties have filed a stipulation providing for the dismissal of the writ of certiorari in this case,

THEREFORE, pursuant to said stipulation, it is ordered by this Court that the writ of certiorari in this case be, and it is hereby, dismissed; and that this case be, and it is hereby, remanded to the said Court of Appeals.

Per Mr. Chief Justice Vinson.

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Charles Kovacs,

Appellant,

9 vs.

Albert Cooper, Jr., Judge of the First District Police Court of Trenton.

Submitted by Mr. George Pellettieri for the appellant and by Mr. Louis Josephson for the appellee.

Ford Motor Company,

Appellant,

1 vs.

The United States of America; and

Commercial Investment Trust Corporation,
et al.,

Appellants,

2 vs.

The United States of America.

Three hours allowed for oral argument. Argued by Mr. Charles E. Hughes, Jr., for the appellants, and by Mr. Albert Holmes Baldridge for the appellee.

Estate of Sidney M. Spiegel, Deceased,
Katherine J. Spiegel, et al., Surviving
Executors, etc.,

Petitioners,

3 vs.

Commissioner of Internal Revenue.

Rearcument commenced by Mr. Herbert A. Friedlich for the petitioners and continued by Mr. Arnold Raum for the respondent.

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Proclamation being made the Court is adjourned until tomorrow at 12 o'clock.

TUESDAY, OCTOBER 12, 1948.

Pursuant to adjournment the Court met at the Supreme Court Building.

PRESENT:

The Honorable Fred M. Vinson, Chief Justice,
Hugo L. Black,
Stanley Reed,
Felix Frankfurter,
William O. Douglas,
Robert H. Jackson,
Wiley Rutledge,
Harold H. Burton.
Associate Justices.

Thomas Ennalls Waggaman, Esquire, Marshal,

Charles Elmore Cropley, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. John Embry, It is ordered that James Carter Todd, Esquire, of Tulsa, State of Oklahoma, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Charles J. Zinn, It is ordered that James L. Coburn, Esquire, of Elizabeth, State of Illinois, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. John F. Richter, It is ordered that Joseph J. Lutin, Esquire, of Nashville, State of Tennessee, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Emanuel Hintisch, It is ordered that Leonard Widman, Esquire, of Asbury Park, State of New Jersey, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Raoul Berger, It is ordered that Dudley T. Shearer, Esquire, of San Francisco, State of California, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Charles Sylvanus Rhyne, It is ordered that Chas. W. Johnson, Esquire, of Sacramento, State of California, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. W. D. McFarlane, It is ordered that John S. Atkins, Esquire, of Kerrville, State of Texas, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. David Rein, It is ordered that Edmund Hatfield, Esquire, of Chicago, State of Illinois, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Neil Burkinshaw, It is ordered that Patrick Healey, Esquire, of Waterbury, State of Connecticut, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. A. Rea Williams, It is ordered that Brennan J. Slater, Esquire, of Chicago, State of Illinois, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

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Estate of Sidney M. Spiegel, Deceased,
Katherine J. Spiegel, et al., Surviving
Executors, etc.,

Petitioners,

3 vs.

Commissioner of Internal Revenue.

Reargument concluded by Mr. Arnold Raum for the respondent.

Commissioner of Internal Revenue,

Petitioner,

5 vs.

Estate of Francois L. Church, Deceased,
Edward E. Black, Executor.

Reargued by Mr. Arnold Raum for the petitioner and by Mr. William W. Owens for the respondent.

Grand River Dam Authority, a Public Corporation,

Petitioner,

6 vs.

Grand-Hydro, a Private Corporation.

Argument commenced by Mr. Robert L. Davidson for the petitioner; continued by Mr. Howard E. Wahrenbrock for the United States, as amicus curiae, by special leave of Court, and by Mr. Robert Dade Hudson for the respondent.

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Proclamation being made the Court is adjourned until tomorrow at 12 o'clock.

Pursuant to adjournment the Court met at the Supreme Court Building.

PRESENT:

The Honorable Fred M. Vinson, Chief Justice,
Hugo L. Black,
Stanley Reed,
Felix Frankfurter,
William O. Douglas,
Robert H. Jackson,
Wiley Rutledge,
Harold H. Burton,
Associate Justices.

Thomas Ennalls Waggaman, Esquire, Marshal,

Charles Elmore Cropley, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Carl I. Wheat, It is ordered that Gordon X. Richmond, Esquire, of Orange, State of California, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Ralph D. Pittman, It is ordered that Stone Wells, Esquire, of Houston, State of Texas, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Joseph A. Macrelli, It is ordered that Fortunato Porotto, Esquire, of Washington, District of Columbia, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Herbert S. Thatcher, It is ordered that David Previant, Esquire, of Milwaukee, State of Wisconsin, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

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Curtis D. MacDougall, et al.,

Appellants,

348 vs.

Dwight H. Green, Individually and as Governor of the State of Illinois, et al.

Motion to advance and expedite hearing and disposition submitted by Mr. Edmund Hatfield for the appellants.

Grand River Dam Authority, a Public Corporation,

Petitioner,

6 vs.

Grand-Hydro, a Private Corporation.

Argument continued by Mr. Robert Dade Hudson for the respondent; by Mr. S. Frank Fowler for the respondent; and concluded by Mr. Robert L. Davidson for the petitioner.

Alexandesus Bellaskus,

Petitioner,

10 vs.

L. D. Crosaman, Officer in Charge, United States Immigration and Naturalization Service.

Argued by Mr. Philip R. Monahan for the respondent and case submitted by the petitioner pro se.

Earl H. McDonald and Joseph F. Washington,

Petitioners,

36 vs.

The United States of America.

Argued by Mr. John Lewis Smith, Jr., and Mr. Charles E. Ford for the petitioners, and by Mr. Frederick Bernays Wiener for the respondent.

The United States of America,

Petitioner,

13 vs.

Fred Urbeteit, Claimant of 16 Articles of Devices More or Less, Labeled "Sinuothermic," etc.

Argument commenced by Mr. Solicitor General Perlman for the petitioner, and continued by Mr. H. O. Pemberton for the respondent.

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Etta Williams,

Petitioner,

149, Misc. vs.

Clinton T. Duffy, Warden.

On petition for writ of certiorari to the Supreme Court of the State of California.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of California, It is ordered by this Court that the said petition be, and the same is hereby, denied. The motion for stay of execution is also denied.

Per Mr. Chief Justice Vinson.

Curtis D. MacDougall, et al.,

Appellants,

348 vs.

Dwight H. Green, Individually and as Governor of the State of Illinois, et al.

The motion of appellants to advance and expedite the hearing of this case is granted and it is ordered that the time for filing statement opposing jurisdiction be reduced to three days; that briefs be filed by October 16; that the case be set for oral argument on October 18; and that the case be heard on the typewritten short record certified to this Court by the Clerk of the District Court. Further consideration of the question of the jurisdiction of this Court in this case is postponed to the hearing of the case on the merits.

Per Mr. Chief Justice Vinson.

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Proclamation being made the Court is adjourned until tomorrow at 12 o'clock.

THURSDAY, OCTOBER 14, 1943.

Pursuant to adjournment the Court met at the Supreme Court Building.

PRESENT:

The Honorable Fred M. Vinson, Chief Justice,
Hugo L. Black,
Stanley Reed,
Felix Frankfurter,
William O. Douglas,
Robert H. Jackson,
Wiley Rutledge,
Harold H. Burton. Associate Justices.

Thomas Ennalls Waggaman, Esquire, Marshal,

Charles Elmore Cropley, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Richard B. Barker, It is ordered that Novak M. Marku, Esquire, of Canton, State of Ohio, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Arthur A. Dickerman, It is ordered that Bernard D. Levinson, Esquire, of Boston, Commonwealth of Massachusetts, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Lester C. Dibble, It is ordered that Earl Smith, Esquire, of Mason City, State of Iowa, and C. Frederick Beck, Esquire, of Mason City, State of Iowa, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. James R. Kirkland, It is ordered that M. Edward Buckley, Jr., Esquire, of Washington, District of Columbia, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Douglas Whitlock, It is ordered that Mary E. Ramler, of Indianapolis, State of Indiana, be admitted to practice as an Attorney and Counsellor of this Court, and she was sworn accordingly. (Mrs.)

On motion first made to the Court in this behalf by Mr. John A. Kratz, It is ordered that Melvin F. Wingersky, Esquire, of Chicago, State of Illinois, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

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The United States of America,

Petitioner,

13 vs.

Fred Urbeteit, Claimant of 16 Articles of Device More or Less, Labeled "Sinuothermic," etc.

Argument concluded by Mr. H. O. Pemberton for the respondent.

Lelord Kordel,

Petitioner,

30 vs.

The United States of America.

Argued by Mr. Arthur D. Herrick for the petitioner, and by Mr. Solicitor General Perlman for the respondent.

Alfred S. Penn,

Petitioner,

19 vs.

Chicago and North Western Railway Company.

Argued by Mr. Royal W. Irwin for the petitioner, and by Mr. Drennan J. Slater for the respondent.

Mandel Brothers, Inc.,

Petitioner,

16 vs.

John H. Wallace, Jr.

Argued by Mr. Leonard S. Lyon for the petitioner, and by Mr. Charles J. Merriam for the respondent.

Solomon Michelson,

Petitioner,

23 vs.

The United States of America.

Argument commenced by Mr. Louis J. Castellano for the petitioner.

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Proclamation being made the Court is adjourned until tomorrow at 12 o'clock.

Pursuant to adjournment the Court met at the Supreme Court Building.

PRESENT:

The Honorable Fred M. Vinson, Chief Justice,
Hugo L. Black,
Stanley Reed,
Felix Frankfurter,
William O. Douglas,
Robert H. Jackson,
Wiley Rutledge,
Harold H. Burton. Associate Justices.
Thomas Ennalls Waggaman, Esquire, Marshal,
Charles Elmore Cropley, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Donald A. Gardiner, It is ordered that Gerald B. Tjoflat, Esquire, of Cincinnati, State of Ohio, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Donald A. Gardiner, It is ordered that James W. Pearce, Esquire, of Cincinnati, State of Ohio, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

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Solomon Michelson,

Petitioner,

23 vs.

The United States of America.

Argument continued by Mr. Louis J. Castellano for the petitioner and concluded by Mr. Joseph M. Howard for the respondent.

Vermilya-Brown Company, Inc., et al.,

Petitioners,

22 vs.

John Joseph Connell, et al.

Argued by Mr. Charles Fahy for the petitioners and by Mr. Sol L. Firstenberg for the respondents.

Robert Frazier,

Petitioner,

44 vs.

The United States of America.

Argued by Mr. M. Edward Buckley, Jr., for the petitioner and by Mr. Robert W. Ginnane for the respondent.

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Proclamation being made the Court is adjourned until Monday next, at 12 o'clock.

Pursuant to adjournment the Court met at the Supreme Court Building.

PRESENT:

The Honorable Fred M. Vinson, Chief Justice,
Hugo L. Black,
Stanley Reed,
Felix Frankfurter,
William O. Douglas,
Robert H. Jackson,
Wiley Rutledge,
Harold H. Burton. Associate Justices.

Thomas Ennalls Waggaman, Esquire, Marshal,

Charles Elmore Cropley, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. David Kammerman, It is ordered that Leon Alvah Bradbury, Esquire, of Hartford, State of Connecticut, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Melvin F. Wingersky, It is ordered that Gordon Nash, Esquire, of Chicago, State of Illinois, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. William Creighton Wines, It is ordered that Richard Frye Watt, Esquire, of Chicago, State of Illinois, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. David Kammerman, It is ordered that Isadore Albert Lehrer, Esquire, of Hartford, State of Connecticut, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. John T. Barker, It is ordered that Claude L. Schenck, Esquire, of Kansas City, State of Missouri, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Grover C. Spillers, It is ordered that Peter B. Collins, Esquire, of Wilmington, State of Delaware, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Al Philip Kane, It is ordered that John W. Porter, Jr., Esquire, of Muskogee, State of Oklahoma, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Solicitor General Philip B. Perlman, It is ordered that Philip Hornbein, Esquire, of Denver, State of Colorado, and Helge Thomsen, Esquire, of Tyler, State of Minnesota, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. George T. Simpson, It is ordered that William M. Serbine, Esquire, of Saint Paul, State of Minnesota, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Charles Julian Bloch, It is ordered that Ellsworth Hall, Jr., Esquire, of Macon, State of Georgia, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Aaron L. Ford, It is ordered that Robert W. Thompson, Jr., Esquire, of Gulfport, State of Mississippi, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Carl William Berueffy, It is ordered that Donald M. Shere, Esquire, of Denver, State of Colorado, and Warren E. Hall, Jr., Esquire, of Atlanta, State of Georgia, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Ernest C. Dickson, It is ordered that James Schilly Redmond, Esquire, of Bluefield, State of West Virginia, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Emory L. Groff, It is ordered that Lloyd S. Adams, Esquire, of Humboldt, State of Tennessee, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Orin deMotte Walker, It is ordered that Donald R. Mote, Esquire, of North Manchester, State of Indiana, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

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The Chief Justice announced the following order of the Court:

Alexander Bellaskus, Petitioner, vs. L. D. Crossman, Officer in Charge, United States Immigration and Naturalization Service.	On writ of certiorari to the United States Court of Appeals for the Fifth Circuit.

THIS CAUSE came on to be heard on the transcript of the record from the United States Court of Appeals for the Fifth Circuit and on the suggestion of the Solicitor General of the United States that the judgment be reversed and the cause remanded.

ON CONSIDERATION WHEREOF, It is ordered and adjudged by this Court that the judgment of the Court of Appeals, in this cause, be, and the same is hereby, reversed; and that this cause be, and the same is hereby, remanded to the United States District Court for the Southern District of Texas with directions to vacate its order discharging the rule to show cause and dismissing the petition for a writ of habeas corpus.

Per Mr. Chief Justice Vinson.

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The Chief Justice said:

"The other orders of the Court appear upon the list certified by the Chief Justice and filed with the Clerk and will not be announced orally."

Frank Hynes, Regional Director, etc.,

Petitioner,

24 vs.

Grimes Packing Co., et al.

ON CONSIDERATION of the motion for leave to file brief of the Native Village of Karluk, et al. as amici curiae in this case,

IT IS ORDERED by this Court that the said motion be, and it is hereby, granted.

Per Mr. Chief Justice Vinson.

Standard Oil Company of California and Standard Stations, Inc.,

Appellants,

279 vs.

The United States of America.

The statement of jurisdiction in this case having been submitted and considered by the Court, probable jurisdiction is noted.

Per Mr. Chief Justice Vinson.

Interstate Oil Pipe Line Company,

Appellant,

287 vs.

A. H. Stone, Chairman State Tax Commission.

The statement of jurisdiction in this case having been submitted and considered by the Court, probable jurisdiction is noted.

Per Mr. Chief Justice Vinson.

Hermoine P. Rice, Order allowing certiorari.

Petitioner,

117 vs.

Lillian P. Rice.

The petition herein for a writ of certiorari to the Supreme Court of Errors of the State of Connecticut is granted.

And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

United States of America, ex rel. Harold E. Hirshberg, Order allowing certiorari.

Petitioner,

231 vs.

Captain M. J. Malanaphy, United States Navy, Commanding Officer, U. S. Naval Receiving Station, Brooklyn, New York.

The petition herein for a writ of certiorari to the United States Court of Appeals for the Second Circuit is granted.

And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

Wisconsin Electric Power Company, Order allowing certiorari.

Petitioner,

237 vs.

The United States of America.

The petition herein for a writ of certiorari to the United States Court of Appeals for the Seventh Circuit is granted.

And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

Aldo Guerrini, On petition for writ of certiorari

Petitioner, to the United States Court of

115 vs. Appeals for the Second Circuit.

The United States of America.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Second Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Research Laboratories, Inc., On petition for writ of certiorari

Petitioner, to the United States Court of

134 vs. Appeals for the Ninth Circuit.

The United States of America.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Ninth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

J. W. Kirkland, M. H. Garrison, et al., Petitioners,
150 vs.
Atlantic Coast Line Railroad Company, Grand International Brotherhood of Locomotive Engineers, et al.

On petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the District of Columbia Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

R. B. Gantt, Petitioner,
214 vs.
Felipe Y. Carlos Hurtado & Cia., Ltda.

On petition for writ of certiorari to the Supreme Court of the State of New York, New York County.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of New York, New York County, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Inez L. Burns, Mabel Spaulding, Myrtle Ramsey, et al., Petitioners,
219 vs.
The People of the State of California.

On petition for writ of certiorari to the District Court of Appeal, 1st Appellate District, State of California.

ON CONSIDERATION of the petition for a writ of certiorari herein to the District Court of Appeal, 1st Appellate District, State of California, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Washington Pension Union,
Petitioner,
221 vs.
The State of Washington, on the Relation of Dana T. Robinson.

On petition for writ of certiorari to the Supreme Court of the State of Washington.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of Washington, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

E. J. Hounsell, Administrator of the Estate of Nellie Hounsell, Deceased,
Petitioner,
229 vs.
Wisconsin Department of Taxation, et al.

On petition for writ of certiorari to the Supreme Court of the State of Wisconsin.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of Wisconsin, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Joan Brodel (Professionally Known as Joan Leslie),
Petitioner,
233 vs.
Warner Bros. Pictures, Inc. (a Corporation).

On petition for writ of certiorari to the Supreme Court of the State of California.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of California, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Globe Solvents Company,
Petitioner,
235 vs.
S. S. "California"

On petition for writ of certiorari to the United States Court of Appeals for the Third Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Third Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Bayuk Cigars, Incorporated,
Petitioner,
236 vs.
Commonwealth of Pennsylvania.

On petition for writ of certiorari to the Supreme Court of the Commonwealth of Pennsylvania.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the Commonwealth of Pennsylvania, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Central Surety & Insurance Corporation,
Petitioner,
240 vs.
Royal Transit, Inc.

On petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Seventh Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

The Phoenix Mutual Life Insurance Company,
Petitioner,
245 vs.
National Labor Relations Board.

On petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Seventh Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Allen-Bradley Company,
Petitioner,
246 vs.
Square D Company.

On petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Seventh Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Frank C. Pabst and Helen R. Pabst,
Petitioners,
250 vs.
John P. Dant Distillery Company, Incorporated.

On petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Sixth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Nick Cascio,

Petitioner,

254 vs.

State of Arkansas.

On petition for writ of certiorari to the Supreme Court of the State of Arkansas.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of Arkansas, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

William R. McComb, Administrator of the Wage and Hour Division, United States Department of Labor,

Petitioner,

256 vs.

Hunt Foods, Inc.

On petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Ninth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Standard Oil Company and Martha Nichols, as Administratrix of the Estate of Ferris Nichols, Deceased,

Petitioners,

264 vs.

William F. Drohan, et al., as Trustees for Keeshin Motor Express Co., Inc., etc., et al.

On petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Seventh Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

In the Matter of the Criminal Contempt Charge against Robert Caruba,

Petitioner.

271

On petition for writ of certiorari to the Court of Chancery of the State of New Jersey.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Court of Chancery of the State of New Jersey, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Allen T. Simmons,

Petitioner,

232 vs.

Federal Communications Commission.

ON CONSIDERATION of the motion to designate "The WGAR Broadcasting Company" as a party respondent in this case,

IT IS ORDERED by this Court that the said motion be, and it is hereby, granted.

Per Mr. Chief Justice Vinson.

Allen T. Simmons,

Petitioner,

232 vs.

Federal Communications Commission.

On petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the District of Columbia Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

The Wm. Schluderberg-T. J. Kurdle Co., Petitioner,
248 vs.
Reconstruction Finance Corporation.

On petition for writ of certiorari to the United States Emergency Court of Appeals.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Emergency Court of Appeals, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Justice Black.

The Chief Justice took no part in the consideration or decision of this application.

Marvin James Tuthill, Petitioner,
19, Misc. vs.
People of the State of California.

ON CONSIDERATION of the motion to defer consideration of the petition for writ of certiorari in this case,

IT IS ORDERED by this Court that the said motion be, and it is hereby, denied.

Per Mr. Chief Justice Vinson.

Marvin James Tuthill, Petitioner,
19, Misc. vs.
People of the State of California.

On petition for writ of certiorari to the Supreme Court of the State of California.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of California, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Nicholas Cavallucci, Petitioner,
67, Misc. vs.
C. J. Burke, Warden.

On petition for writ of certiorari to the Supreme Court of the Commonwealth of Pennsylvania.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the Commonwealth of Pennsylvania, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

William Henry Roberts, Petitioner,
73, Misc. vs.
People of the State of California.

On petition for writ of certiorari to the Supreme Court of the State of California.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of California, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Richard Goodman, Petitioner,
99, Misc. vs.
Edwin T. Swenson, Warden.

On petition for writ of certiorari to the Court of Appeals of the State of Maryland.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Court of Appeals of the State of Maryland, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Robert Tedford,

Petitioner,

100, Misc. vs.

Robert A. Heinze, Warden.

On petition for writ of certiorari to the Supreme Court of the State of California.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of California, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

In the Matter of John Curtis Barber,

Petitioner.

114, Misc.

On petition for writ of certiorari to the Criminal Court of Appeals of the State of Oklahoma.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Criminal Court of Appeals of the State of Oklahoma, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Francis Monaghan,

Petitioner,

116, Misc. vs.

Commonwealth of Pennsylvania.

On petition for writ of certiorari to the Supreme Court of the Commonwealth of Pennsylvania.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the Commonwealth of Pennsylvania, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Frederick John Byrnes, Petitioner, vs. People of the State of California. — On petition for writ of certiorari to the Supreme Court of the State of California. — 123, Misc.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of California, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Frank C. Smith, Petitioner, vs. Joseph E. Ragen, Warden. — On petition for writ of certiorari to the Circuit Court of Stark County of the State of Illinois. — 129, Misc.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Circuit Court of Stark County of the State of Illinois, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Irving C. Dederer, Petitioner, vs. People of the State of New York. — On petition for writ of certiorari to the Court of Appeals of the State of New York. — 130, Misc.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Court of Appeals of the State of New York, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Thomas Reed,
Petitioner,
132, Misc. vs.
Walter G. Hierstheimer, Warden.

On petition for writ of certiorari to the Circuit Court of St. Clair County of the State of Illinois.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Circuit Court of St. Clair County of the State of Illinois, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Bernard Francis Williams,
Petitioner,
135, Misc. vs.
State of New Jersey.

On petition for writ of certiorari to the Supreme Court of the State of New Jersey.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of New Jersey, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Harry Meyers,
Petitioner,
137, Misc. vs.
Joseph E. Ragen, Warden.

On petition for writ of certiorari to the Criminal Court of Cook County of the State of Illinois.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Criminal Court of Cook County of the State of Illinois, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Robert Wilde, Petitioner, vs. People of the State of California. 140, Misc.

On petition for writ of certiorari to the Supreme Court of the State of California.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of California, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Donald Skene, Petitioner, vs. Joseph E. Ragen, Warden. 141, Misc.

On petition for writ of certiorari to the Circuit Court of Kane County of the State of Illinois.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Circuit Court of Kane County of the State of Illinois, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Arthur Richardson, Petitioner, vs. People of the State of New York. 142, Misc.

On petition for writ of certiorari to the Court of Appeals of the State of New York.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Court of Appeals of the State of New York, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Emmett Thomas O'Brien,

Petitioner,

143, Misc. vs.

Nathan Mayo, Custodian.

On petition for writ of certiorari to the Supreme Court of the State of Florida.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of Florida, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Charles Lee McIntosh,

Petitioner,

32, Misc. vs.

M. J. Pescor, Warden.

ON CONSIDERATION of the motion for leave to file a petition for writ of certiorari herein,

IT IS ORDERED by this Court that the said motion be, and it is hereby, denied.

Per Mr. Chief Justice Vinson.

Elmer C. Webb,

Petitioner,

115, Misc. vs.

People of the State of Illinois and Will County Circuit Court.

ON CONSIDERATION of the petition for injunction herein,

IT IS ORDERED by this Court that the said petition be, and it is hereby, denied.

Per Mr. Chief Justice Vinson.

Otho Bays,

Petitioner,

117, Misc. vs.

Ralph Howard, Warden, Indiana State Prison.

ON CONSIDERATION of the motion for leave to file a petition for writ of certiorari herein,

IT IS ORDERED by this Court that the said motion be, and it is hereby, denied.

Per Mr. Chief Justice Vinson.

Francis Stelloh,

Petitioner,

136, Misc. vs.

Warden of the Wisconsin State Prison.

ON CONSIDERATION of the motion for leave to file a petition for writ of habeas corpus herein,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Thomas Stephenson,

Petitioner,

146, Misc. vs.

The State of New Jersey.

ON CONSIDERATION of the motion for leave to file a petition for writ of habeas corpus herein,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

In the Matter of Dr. Wellmuth Vetter,

1.., Misc. Petitioner;

...rg Eckstein,

Petitioner,

124, Misc. vs.

The United States of America;

In the Matter of Josef Unrecht,

125, Misc. Petitioner;

In the Matter of Wilhelm Pfeiffer and Albert Landwehr,

126, Misc. Petitioners;

In the Matter of Heinrich Fulsche,

128, Misc. Petitioner;

In the Matter of Wilhelm Grill,

13.., Misc. Petitioner; and

In the Matter of Kurt Hans,

145, Misc. Petitioner.

Treating the application in each of these cases as a motion for leave to file a petition for an original writ of habeas corpus,

It is ordered by this Court that leave to file be, and it is hereby, denied.

Per Mr. Chief Justice Vinson.

The Chief Justice, Mr. Justice Reed, Mr. Justice Frankfurter, and Mr. Justice Burton are of the opinion that there is want of jurisdiction.

Mr. Justice Black, Mr. Justice Douglas, Mr. Justice Murphy, and Mr. Justice Rutledge are of the opinion that the motion for leave to file should be granted and that the cases should be set for argument forthwith.

Mr. Justice Jackson took no part in the consideration or decision of these applications.

Hyman Y. Josephs, Petitioner, vs. Commissioner of Internal Revenue.

On petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit.

225

It appearing to the Court that counsel for the petitioner have filed a motion to dismiss the petition for writ of certiorari in this case,

Therefore, pursuant to said motion, it is ordered by this Court that the petition for writ of certiorari in this case be, and it is hereby, dismissed.

Per Mr. Chief Justice Vinson.

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The Court will take a recess from Monday, October 25, until Monday, November 8, next.

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The Court entered the following orders on October 16, 1948:

ORDER

Pursuant to the provisions of Title 28, United States Code, section 971(a) (Public Law 773, 80th Congress, Second Session, Approved June 25, 1948):

IT IS ORDERED BY THIS COURT that the compensation of the Clerk of this Court be, and it hereby is, fixed at the rate of $15,000.00 per annum, subject to the further order, or orders, of this Court.

The provisions of this order shall be effective as of September 1, 1948.

/s/ Fred M. Vinson

October 16, 1948. CHIEF JUSTICE

ORDER

IT IS ORDERED BY THIS COURT that the Order of October 10, 1921, specifying the amount of the fees paid to the Clerk of this Court by attorneys for admission to the Bar of this Court which the Clerk is authorized to retain as personal compensation, which order was reentered June 6, 1927 and amended June 2, 1944 (effective as of January 1, 1944) and March 31, 1947 (effective as of April 1, 1947) be, and it hereby is, revoked and,

IT IS NOW HERE ORDERED BY THIS COURT that the fees paid to the Clerk by attorneys for admission to the Bar of this Court, which are not included in the costs, fees and emoluments of which, under the Acts of March 3, 1883 (22 Stat. 631), and Section 8 of the Act of March 15, 1898 (30 Stat. 317), the Clerk is required to make return to the Attorney General, shall be kept as a fund to be expended under orders of the Court, first, for the reimbursement of the Clerk for any costs and fees in litigated cases, in which the parties, or either of them, are authorized to proceed in forma pauperis; second, to reimburse the Clerk for any deficit which may arise through earned revenue in litigated cases insufficient in amount to pay his personal compensation; third, to reimburse the Clerk for any deficit which may arise through earned revenue in litigated cases insufficient in amount to meet the operating expenses of his office; and fourth, for any other purpose deemed proper and ordered by the Court.

The provisions of this order shall be effective as of September 1, 1948.

/s/ Fred M. Vinson

October 16, 1948. CHIEF JUSTICE

ORDER

Pursuant to the provisions of Title 28, United States Code, section 671(a) (Public Law 773, 80th Congress, Second Session, Approved June 25, 1948):

IT IS ORDERED BY THIS COURT that the compensation of the respective Deputy Clerks of this Court be, and it hereby is, fixed as follows:

REGINALD C. DILLI	$6,500.00 per annum,
HUGH W. BARR	6,500.00 per annum,
HAROLD B. WILLEY	9,000.00 per annum,

subject to the further order, or orders, of this Court.

The provisions of this order shall be effective as of September 1, 1948.

/s/ Fred M. Vinson
CHIEF JUSTICE

October 16, 1948.

ORDER

Pursuant to the provisions of Title 28, United States Code, section 672(a) (Public Law 773, 80th Congress, Second Session, Approved June 25, 1948):

IT IS ORDERED BY THIS COURT that the compensation of the Marshal of this Court be, and it hereby is, fixed at the rate of $10,000.00 per annum, subject to the further order, or orders, of this Court.

The provisions of this order shall be effective as of September 1, 1948.

/s/ Fred M. Vinson
CHIEF JUSTICE

October 16, 1948.

ORDER

Pursuant to the provisions of Title 28, United States Code, section 673(a) (Public Law 773, 80th Congress, Second Session, Approved June 25, 1948):

IT IS ORDERED BY THIS COURT that the compensation of the Reporter of its decisions be, and it hereby is, fixed at the rate of $10,330.00 per annum, subject to the further order, or orders, of this Court.

The provisions of this order shall be effective as of September 1, 1948.

/s/ Fred M. Vinson
CHIEF JUSTICE

October 16, 1948.

ORDER

Pursuant to the provisions of Title 28, United States Code, section 674(a) (Public Law 773, 80th Congress, Second Session, Approved June 25, 1948):

IT IS ORDERED BY THIS COURT that the salary of the Librarian of this Court be, and it hereby is, fixed at the rate of $8500.00 per annum, subject to the further order, or orders, of this Court.

The provisions of this order shall be effective as of September 1, 1948.

/s/ Fred M. Vinson
CHIEF JUSTICE

October 16, 1948.

Curtis D. MacDougall, et al.,

Appellants,

348 vs.

Dwight H. Green, Individually and as Governor of the State of Illinois, et al.

Argued by Mr. John J. Abt and Mr. Richard F. Watt for the appellants; by Mr. William C. Wines for the appellees, Dwight H. Green, Governor, et al., and by Mr. Melvin F. Wingersky for the appellees, Michael J. Flynn, Clerk of Cook County, Illinois, et al.

Grace D. Adkins, etc.,

Petitioner,

1, Misc. vs.

E. I. duPont deNemours & Co., Inc.

Argued on the motion for leave to proceed in forma pauperis by Mr. John W. Porter, Jr., for the petitioner and by Mr. G. C. Spillers for the respondent.

Virgil T. Brinegar,

Petitioner,

12 vs.

The United States of America.

Argument commenced by Mr. Irvine E. Ungerman for the petitioner and continued by Mr. Stanley M. Silverberg for the respondent.

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Proclamation being made the Court is adjourned until tomorrow at 12 o'clock.

Pursuant to adjournment the Court met at the Supreme Court Building.

PRESENT:

The Honorable Fred M. Vinson, Chief Justice,
Hugo L. Black,
Stanley Reed,
Felix Frankfurter,
William O. Douglas,
Robert H. Jackson,
Wiley Rutledge,
Harold H. Burton. Associate Justices.

Thomas Ennalls Waggaman, Esquire, Marshal,

Charles Elmore Cropley, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Northcutt Ely, It is ordered that Eimo G. Funke, Esquire, of Sacramento, State of California, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. John C. Ristine, It is ordered that William A. McClintock, Jr., Esquire, of Chicago, State of Illinois, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Harry C. Shriver, It is ordered that Joseph G. Tomascik, Esquire, of Wilkes-Barre, Commonwealth of Pennsylvania, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Al M. Heck, It is ordered that Chas. W. Duke, Esquire, of San Antonio, State of Texas, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. David L. Krooth, It is ordered that Eli E. Fink, Esquire, of Chicago, State of Illinois, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Meredith M. Daubin, It is ordered that John W. Joslyn, Esquire, of Pasadena, State of California, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Roy St. Lewis, It is ordered that James S. Henderson, Esquire, of Denver, State of Colorado, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

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Virgil T. Brinegar,

Petitioner,

12 vs.

The United States of America.

Argument continued by Mr. Stanley M. Silverberg for the respondent, and concluded by Mr. Irvine E. Ungerman for the petitioner.

Merrel P. Callaway, as Trustee of the Property of Central of Georgia Railway Company, Debtor, et al.,

Petitioners,

21 vs.

L. O. Benton, Jr., et al.

Argued by Mr. T. M. Cunningham for the petitioners, and by Mr. Charles J. Bloch for the respondents.

Julius A. Wolf,

Petitioner,

17 vs.

The People of the State of Colorado, and

Julius A. Wolf,

Petitioner,

18 vs.

The People of the State of Colorado.

Argued by Mr. Philip Hornbein for the petitioner and by Mr. James S. Henderson for the respondent.

Emil Lustig, alias Dr. Edward E. Fisher,

Petitioner,

1389 O.T. '46 vs.

The United States of America.

Reargued by Mr. Edward Halle for the petitioner, and by Mr. Solicitor General Perlman for the respondent.

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Proclamation being made the Court is adjourned until tomorrow at 12 o'clock.

WEDNESDAY, OCTOBER 20, 1948.

Pursuant to adjournment the Court met at the Supreme Court Building.

PRESENT:

The Honorable Fred M. Vinson, Chief Justice,
Hugo L. Black,
Stanley Reed,
Felix Frankfurter,
William O. Douglas,
Robert H. Jackson,
Wiley Rutledge,
Harold H. Burton. Associate Justices.

Thomas Ennalls Waggaman, Esquire, Marshal,

Charles Elmore Cropley, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Charles D. Hamel, It is ordered that George T. Goggin, Esquire, of Los Angeles, State of California, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Walter M. Bastian, It is ordered that Philip Huntington, Esquire, of Mineola, State of New York, and James N. Gehrig, Esquire, of Hempstead, State of New York, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Daniel J. Schrull, It is ordered that Joseph M. Wehler, Esquire, of Mount Rainier, State of Maryland, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Carl McFarland, It is ordered that George W. Martin, Esquire, of Seattle, State of Washington, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

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Cesario Campa, alias Cesar Campa,

Petitioner,

142 vs.

The United States of America.

ON CONSIDERATION of the application of counsel for the petitioner to extend the time within which to file a petition for rehearing in this case,

IT IS ORDERED by this Court that the time be, and it is hereby, extended to and including November 5, 1948.

Per Mr. Chief Justice Vinson.

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August Klapprott,

Petitioner,

42 vs.

The United States of America.

Argued by Mr. P. Bateman Ennis for the petitioner and by Mr. Robert L. Stern for the respondent.

The United States,

Petitioner,

26 vs.

Kansas City Life Insurance Company.

Argued by Mr. Frederick Bernays Wiener for the petitioner and by Mr. Stanley Bassett for the respondent.

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Proclamation being made the Court is adjourned until tomorrow at 12 o'clock.

THURSDAY, OCTOBER 21, 1948.

Pursuant to adjournment the Court met at the Supreme Court Building.

PRESENT:

The Honorable Fred M. Vinson, Chief Justice,
Hugo L. Black,
Stanley Reed,
Felix Frankfurter,
William O. Douglas, Associate Justices.
Robert H. Jackson,
Wiley Rutledge,
Harold H. Burton.
Thomas Ennalls Waggaman, Esquire, Marshal,
Charles Elmore Cropley, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Thomas Andrew Pace, It is ordered that Harold Prebble Settle, Esquire, of Shreveport, State of Louisiana; U. LeRoy Sweeney, Jr., Esquire, of Richmond, Commonwealth of Virginia; Books Poorman Shetter, Esquire, of Richmond, Commonwealth of Virginia; and E. Parker Brown, Esquire, of Suffolk, Commonwealth of Virginia, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Charles A. Horsky, It is ordered that W. C. Arnold, Esquire, of Seattle, State of Washington, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Whitney North Seymour, It is ordered that George G. Gallantz, Esquire, of New York, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. W. Dean Mathis, It is ordered that Leonard B. Peterson, Esquire, of Washington, District of Columbia, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Charles Sylvanus Wayne, It is ordered that Stanley Buchsbaum, Esquire, of Brooklyn, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Eulan I. Snyder, It is ordered that Emory Clark Smith, Esquire, of Denton, State of Texas, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. David Wiener, It is ordered that Charles F. Paulis, Jr., Esquire, of Kearny, State of New Jersey, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Bruce H. Greenfield, It is ordered that James B. Lewis, Esquire, of Washington, District of Columbia, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

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Curtis D. MacDougall, et al., Appellants, vs. Dwight H. Green, Individually and as Governor of the State of Illinois, et al. — Appeal from the United States District Court for the Northern District of Illinois.

348

THIS CAUSE came on to be heard on the transcript of the record from the United States District Court for the Northern District of Illinois, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is ordered, adjudged, and decreed by this Court that the decree of the said District Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Chief Justice Vinson.

Opinion by Mr. Justice Rutledge concurring in the judgment.

Dissenting opinion by Mr. Justice Douglas in which Mr. Justice Black and Mr. Justice Murphy concur.

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Earl P. Hoiness,

Petitioner,

20 vs.

The United States of America.

Argued by Mr. Herbert Resner for the petitioner and by Mr. Harry I. Rand for the respondent.

Doubleday & Company, Inc.,

Appellant,

11 vs.

People of the State of New York.

Argued by Mr. Whitney North Seymour for the appellant and by Mr. Whitman Knapp for the appellee.

Frank Hynes, Regional Director, Fish and Wildlife Service, Department of the Interior,

Petitioner,

24 vs.

Grimes Packing Co., Kadiak Fisheries Company, Libby, McNeill & Libby, et al.

Argued by Mr. Roger P. Marquis for the petitioner and by Mr. W. C. Arnold and Mr. Frank L. Mechem for the respondents.

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Proclamation being made the Court is adjourned until tomorrow at 12 o'clock.

Pursuant to adjournment the Court met at the Supreme Court Building.

PRESENT:

The Honorable Fred M. Vinson, Chief Justice,
Hugo L. Black,
Stanley Reed,
Felix Frankfurter,
William O. Douglas, Associate Justices.
Robert H. Jackson,
Wiley Rutledge,
Harold H. Burton.
Thomas Ennalls Waggaman, Esquire, Marshal,
Charles Elmore Cropley, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Julian D. James, It is ordered that John P. Randolph, Esquire, of Jefferson City, State of Missouri, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Glen A. Wilkinson, It is ordered that Margaret C. Shiozawa, of Saint Louis, State of Missouri, be admitted to practice as an Attorney and Counsellor of this Court, and she was sworn accordingly. (Mrs.)

On motion first made to the Court in this behalf by Mr. Robert H. McNeill, It is ordered that Philo J. Harvey, Esquire, of Beverly Hills, State of California, and David T. Griffith, Jr., Esquire, of Beverly Hills, State of California, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. J. Frank Staley, It is ordered that Edward R. Downing, Esquire, of New York, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. John L. Laskey, It is ordered that Francis H. Monek, Esquire, of Chicago, State of Illinois, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. William Allen Mellan, It is ordered that Benj. T. Weinstein, Esquire, of Los Angeles, State of California, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Harry C. Shriver, It is ordered that Francis Worley, Esquire, of York Springs, Commonwealth of Pennsylvania, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. James G. Johnson, Jr., It is ordered that Owen Brooke Rhoads, Esquire, of Philadelphia Commonwealth of Pennsylvania, and M. Francis De Lone, Esquire, of Philadelphia, Commonwealth of Pennsylvania, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

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Julia Eckenrode, Administratrix of
the Estate of John Henry Eckenrode,
Deceased,

Petitioner,

28 vs.

Pennsylvania Railroad Company.

ON CONSIDERATION of the motion of Mr. Robert H. McNeill that Mr. B. Nathaniel Richter be granted leave to appear and present oral argument pro hac vice for petitioner in this case,

IT IS ORDERED by this Court that the said motion be, and it is hereby, granted.

Per Mr. Chief Justice Vinson.

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Julia Eckenrode, Administratrix of the
Estate of John Henry Eckenrode, Deceased,

Petitioner,

28 vs.

Pennsylvania Railroad Company.

Argued by Mr. B. Nathaniel Richter for the petitioner, pro hac vice, by special leave of Court, and by Mr. Owen B. Rhoads for the respondent.

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Proclamation being made the Court is adjourned until Monday, October 25, next, at 12 o'clock.

Pursuant to adjournment the Court met at the Supreme Court Building.

PRESENT:

The Honorable Fred M. Vinson, Chief Justice,
Hugo L. Black,
Stanley Reed,
Felix Frankfurter,
William O. Douglas,
Robert H. Jackson,
Wiley Rutledge,
Harold H. Burton. Associate Justices.

Thomas Ennalls Waggaman, Esquire, Marshal,

Charles Elmore Cropley, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Dean G. Acheson, It is ordered that Joseph Walker, Esquire, of New York, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. H. Donald Kistler, It is ordered that Elizabeth Davis Welsh, of Sacramento, State of California, and John M. Welsh, Esquire, of Sacramento, State of California, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly. (Mrs.)

On motion first made to the Court in this behalf by Mr. W. D. McFarlane, It is ordered that Jesse Allen Pardue, Esquire, of Houston, State of Texas, and Willis Ewart Gladstone Suffel, Esquire, of Seattle, State of Washington, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Samuel H. Crosby, It is ordered that D. P. Reynolds, Esquire, of Gary, State of Indiana, and Virginia Smith Reynolds, of Gary, State of Indiana, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly. (Mrs.)

On motion first made to the Court in this behalf by Mr. Charles E. Hughes, Jr., It is ordered that Kalman Anthony Oravetz, Esquire, of New York, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

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The Chief Justice announced the following orders of the Court:

Doubleday & Company, Inc., Appellants, vs. People of the State of New York. Appeal from the Court of Appeals of the State of New York.

11

THIS CAUSE came on to be heard on the transcript of the record from the Court of Appeals of the State of New York, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is now here ordered and adjudged by this Court that the judgment of the said Court of Appeals, in this cause, be, and the same is hereby, affirmed with costs by an equally divided Court.

Per Mr. Chief Justice Vinson.

Mr. Justice Frankfurter took no part in the consideration or decision of this case.

Alfred S. Penn, Petitioner, vs. Chicago and North Western Railway Company. On writ of certiorari to the United States Court of Appeals for the Seventh Circuit.

19

THIS CAUSE came on to be heard on the transcript of the record from the United States Court of Appeals for the Seventh Circuit, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is now here ordered and adjudged by this Court that the judgment of the said United States Court of Appeals, in this cause, be, and the same is hereby, reversed with costs; and that this

cause be, and the same is hereby, remanded to the United States District Court for the Northern District of Illinois for proceedings in conformity with the opinion of this Court.

Per Mr. Chief Justice Vinson.

Carl E. Ring,
Appellant,
vs.
Lloyd B. Marsh, Secretary of State of the State of New Jersey.

Appeal from the United States District Court for the District of New Jersey.

319

THIS CAUSE came on to be heard on the transcript of the record from the United States District Court for the District of New Jersey, and was duly submitted.

ON CONSIDERATION WHEREOF, It is ordered by this Court that the appeal herein be, and the same is hereby, dismissed for the want of a substantial federal question.

Per Mr. Chief Justice Vinson.

Myron E. Pierce, Alfred P. Lowell, Stuart Rand, et al.,
Appellants,
vs.
The City of Boston.

Appeal from the Superior Court of the Commonwealth of Massachusetts, County of Suffolk.

324

THIS CAUSE came on to be heard on the transcript of the record from the Superior Court of the Commonwealth of Massachusetts, County of Suffolk, and on motion to dismiss or affirm, which was duly submitted.

ON CONSIDERATION WHEREOF, It is now here ordered by this Court that the motion to dismiss the appeal herein be, and the same is hereby, granted.

IT IS FURTHER ORDERED that the appeal herein be, and the same is hereby, dismissed for the want of a substantial federal question.

Per Mr. Chief Justice Vinson.

Anna C. McCarthy, Myron E. Pierce, Alfred P. Lowell, et al.,

Appellants,

325 vs.

The City of Boston.

Appeal from the Superior Court of the Commonwealth of Massachusetts, County of Suffolk.

THIS CAUSE came on to be heard on the transcript of the record from the Superior Court of the Commonwealth of Massachusetts, County of Suffolk, and on motion to dismiss or affirm, which was duly submitted.

ON CONSIDERATION WHEREOF, It is now here ordered by this Court that the motion to dismiss the appeal herein be, and the same is hereby, granted.

IT IS FURTHER ORDERED that the appeal herein be, and the same is hereby, dismissed for the want of a substantial federal question.

Per Mr. Chief Justice Vinson.

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The Chief Justice said:

"The other orders of the Court appear upon the list certified by the Chief Justice and filed with the Clerk and will not be announced orally."

John M. Daniel, as Attorney General of South Carolina, et al.,

Appellants,

297 vs.

Family Security Life Insurance Company, et al.

The statement of jurisdiction in this case having been submitted and considered by the Court, probable jurisdiction is noted.

Per Mr. Chief Justice Vinson.

Securities and Exchange Commission, Order allowing certiorari.

Petitioner,

226 vs.

Central-Illinois Securities Corporation, C. A. Johnson, Lucille White and Frances Boehm.

The petition herein for a writ of certiorari to the United States Court of Appeals for the Third Circuit is granted.

And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

Thomas W. Streeter, et al., Order allowing certiorari.

Petitioners,

227 vs.

Central-Illinois Securities Corporation, C. A. Johnson, Lucille White and Frances Boehm.

The petition herein for a writ of certiorari to the United States Court of Appeals for the Third Circuit is granted.

And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

The Home Insurance Company and Trades- Order allowing certiorari.
mens National Bank and Trust Company,

Petitioners,

243 vs.

Central-Illinois Securities Corporation, C. A. Johnson, Lucille White and Frances Boehm.

The petition herein for a writ of certiorari to the United States Court of Appeals for the Third Circuit is granted.

And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

Central-Illinois Securities Corporation and Christian A. Johnson, — Order allowing certiorari.

Petitioners,

266 vs.

Securities and Exchange Commission, et al.

The petition herein for a writ of certiorari to the United States Court of Appeals for the Third Circuit is granted.

And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

Nye & Nissen (a Corporation) and Abraham Moncharsh, — Order allowing certiorari.

Petitioners,

228 vs.

The United States of America.

The petition herein for a writ of certiorari to the United States Court of Appeals for the Ninth Circuit is granted.

And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

Mrs. Marie Reynolds, who Sues as the Administratrix of the Estate of Hury O. Reynolds, Deceased, — Order allowing certiorari.

Petitioner,

234 vs.

Atlantic Coast Line Railroad Company, a Corporation.

The petition herein for a writ of certiorari to the Supreme Court of the State of Alabama is granted. The case is transferred to the summary docket.

And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief

Gustanes Ancker, Royal W. Armstrong, Fred M. Bartlett, et al.,

Petitioners,

111 vs.

People of the State of California.

On petition for writ of certiorari to the Appellate Department of the Superior Court in and for the County of Los Angeles, State of California.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Appellate Department of the Superior Court in and for the County of Los Angeles, State of California, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

City of Vernon, a Municipal Corporation, Its Defendant Officers and Employees,

Petitioners,

204 vs.

The People of the State of California.

On petition for writ of certiorari to the District Court of Appeal, 2nd Appellate District, State of California.

ON CONSIDERATION of the petition for a writ of certiorari herein to the District Court of Appeal, 2nd Appellate District, State of California, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

City of Culver City, a Municipal Corporation, Curtis Davis, Thomas Carroll, et al.,

Petitioners,

205 vs.

The People of the State of California.

On petition for writ of certiorari to the District Court of Appeal, 2nd Appellate District, State of California.

ON CONSIDERATION of the petition for a writ of certiorari herein to the District Court of Appeal, 2nd Appellate District, State of California, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Samuel O. Blanc,
Petitioner,
241 vs.
Spartan Tool Company.

On petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Seventh Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Samuel Chapman,
Petitioner,
252 vs.
The United States of America.

On petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Seventh Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Revere Land Company,
Petitioner,
261 vs.
Commissioner of Internal Revenue.

On petition for writ of certiorari to the United States Court of Appeals for the Third Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Third Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Montana-Dakota Utilities Co., Petitioner, vs. Federal Power Commission, Mondakota Gas Company, et al.

262 — On petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Eighth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Pasadena Research Laboratories, Inc., a Corporation, et al., Petitioners, vs. The United States of America.

274 — On petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Ninth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

The W. E. Wright Company, Petitioner, vs. William R. McComb, Administrator of the Wage and Hour Division, United States Department of Labor.

281 — On petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Sixth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

St. Louis Amusement Company, et al., Petitioners,

vs.

Paramount Film Distributing Corporation, et al.

On petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit.

282

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Eighth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

William J. Minsch, et al., Intervenors, Railway and Light Securities Company, et al., Petitioners,

vs.

Frank Bailey, et al.

On petition for writ of certiorari to the United States Court of Appeals for the First Circuit.

290

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the First Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Panhandle Eastern Pipe Line Company, Petitioner,

vs.

Federal Power Commission, Michigan-Wisconsin Pipe Line Company, et al.

251

ON CONSIDERATION of the motion to dispense with the printing of the record in this case,

IT IS ORDERED by this Court that the said motion be, and it is hereby, granted.

Per Mr. Chief Justice Vinson.

Panhandle Eastern Pipe Line Company, Petitioner,
251 vs.
Federal Power Commission, Michigan-Wisconsin Pipe Line Company, et al.

On petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the District of Columbia Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

State of Texas, Petitioner,
257 vs.
Edward E. Brown, et al., etc.

ON CONSIDERATION of the motion of the Chicago, Rock Island and Pacific Railroad Company for leave to intervene in this case as a party respondent,

IT IS ORDERED by this Court that the said motion be, and it is hereby, granted.

Per Mr. Chief Justice Vinson.

State of Texas, Petitioner,
257 vs.
Edward E. Brown, et al., etc.

On petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Seventh Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Sgt. George P. McCaffrey, United States Army,

Petitioner,

291 vs.

Kenneth C. Royall, Secretary of the Army.

On petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the District of Columbia Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Sgt. George P. McCaffrey, United States Army,

Petitioner,

131, Misc. vs.

Kenneth C. Royall, Secretary of the Army.

ON CONSIDERATION of the motion for leave to file a petition for writ of habeas corpus herein,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Shulim Wixman, Also Known as Samuel Morris Wixman,

Petitioner,

263 vs.

The United States of America.

ON CONSIDERATION of the motion of the Solicitor General of the United States to extend the time within which to file response to the petition for writ of certiorari in this case,

IT IS ORDERED by this Court that the said motion be, and it is hereby, granted, and the time is extended to and including November 27, 1948.

Per Mr. Chief Justice Vinson.

State of Illinois,

Complainant,

9, Original vs.

State of Indiana, City of East Chicago, et al.

The Second and Third Special Reports of the Special Master as to the Bates Expanded Steel Corporation (a Delaware corporation) are approved.

It appearing to the Court from the Second and Third Special Reports of the Special Master that counsel for the State of Illinois, State of Indiana, City of East Chicago, and Bates Expanded Steel Corporation (a Delaware corporation), now known as East Chicago Expanded Steel Company, have entered into a stipulation providing for the dismissal of the amended bill of complaint in this cause as to defendant Bates Expanded Steel Corporation (A Delaware corporation), now known as East Chicago Expanded Steel Company;

Therefore, pursuant to said stipulation, it is ordered by this Court that the amended bill of complaint herein as to Bates Expanded Steel Corporation (a Delaware corporation), be, and it is hereby, dismissed without costs.

Per Mr. Chief Justice Vinson.

State of Illinois,

Complainant,

9, Original vs.

State of Indiana, City of East Chicago, et al.

The Third Special Report of the Special Master as to Bates Expanded Steel Corporation (an Indiana Corporation) is approved.

It appearing to the Court from said Report that counsel for the State of Illinois, State of Indiana, City of East Chicago, and Bates Expanded Steel Corporation, an Indiana corporation, have entered into a joint motion providing for the dismissal of the amended bill of complaint in this case as to the defendant Bates Expanded Steel Corporation, an Indiana corporation;

Therefore, pursuant to said joint motion, it is ordered by this Court that the amended bill of complaint herein as to Bates Expanded Steel Corporation, an Indiana corporation, be, and it is hereby, dismissed, costs to be taxed in accordance with the recommendations of the Special Master in

his Third Special Report dated September 7, 1948.

Per Mr. Chief Justice Vinson.

State of Illinois,

Complainant,

9, Original vs.

State of Indiana, City of East Chicago, et al.

The Third Special Report of the Special Master as to Rogers Galvanizing Company is approved.

It appearing to the Court from said Report that counsel for the State of Illinois, State of Indiana, City of East Chicago, and Rogers Galvanizing Company, have entered into a joint motion providing for the dismissal of the amended bill of complaint in this case as to defendant Rogers Galvanizing Company;

Therefore, pursuant to said joint motion, it is ordered by this Court that the amended bill of complaint herein as to Rogers Galvanizing Company, be, and it is hereby, dismissed, costs to be taxed in accordance with the recommendations of the Special Master in his Third Special Report dated September 7, 1948.

Per Mr. Chief Justice Vinson.

State of Illinois,

Complainant,

9, Original vs.

State of Indiana, City of East Chicago, et al.

The Third Special Report of the Special Master as to U. S. S. Lead Refinery, Inc., is approved.

It appearing to the Court from said Report that counsel for the State of Illinois, State of Indiana, City of East Chicago, and U. S. S. Lead Refinery, Inc., have entered into a joint motion providing for the dismissal of the amended bill of complaint in this case as to defendant U. S. S. Lead Refinery, Inc.;

Therefore, pursuant to said joint motion, it is ordered by this Court that the amended bill of complaint herein as to U. S. S. Lead Refinery, Inc., be, and it is hereby, dismissed, costs to be taxed in accordance with the recommendations of the Special Master in his Third Special Report dated September 7, 1948.

Per Mr. Chief Justice Vinson.

State of Illinois,

Complainant,

9, Original vs.

State of Indiana, City of East Chicago, et al.

The Third Interim Report of the Special Master dated September 7, 1948, is approved. The Court orders and directs the Special Master to continue the proceedings in accordance with the order of this Court dated February 17, 1947. The Court further orders that the recommendation of the Special Master as to the apportionment of costs be adopted and costs for the period from September 8, 1947, to September 7, 1948, inclusive, shall be taxed as recommended in the Third Interim Report.

Per Mr. Chief Justice Vinson.

The State of Illinois,

Complainant,

9, Original vs.

State of Indiana, City of East Chicago, et al.

ON CONSIDERATION of the third petition of the Special Master in this case dated September 7, 1948, for allowance of expenses and compensation;

IT IS ORDERED that Luther Ely Smith, Esquire, be, and he is hereby, awarded the sum of $6,000 as compensation for his services from September 8, 1947, to September 7, 1948.

IT IS FURTHER ORDERED that the expenses of the Special Master amounting to $2,326.96, itemized in the third petition, be, and they are hereby, approved and allowed.

Per Mr. Chief Justice Vinson.

Richardson Anderson Lowe,

Petitioner,

22, Misc. O.T. '47 vs.

The United States of America.

ON CONSIDERATION of the third petition for rehearing in this case,

IT IS ORDERED by this Court that the third petition for rehearing in this case, be, and it is hereby, denied.

Per Mr. Chief Justice Vinson.

William Bolds,

Petitioner,

139, Misc. vs.

Joseph E. Ragen, Warden.

On petition for writ of certiorari to the Circuit Court of Will County of the State of Illinois.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Circuit Court of Will County of the State of Illinois, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

William Bolds,

Petitioner,

139, Misc. vs.

Joseph E. Ragen, Warden.

On petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Seventh Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Lawrence Day, Petitioner, vs. Joseph E. Ragen, Warden.

On petition for writ of certiorari to the Circuit Court of Will County of the State of Illinois.

144, Misc.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Circuit Court of Will County of the State of Illinois, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Harry Meyers, Petitioner, vs. Joseph E. Ragen, Warden.

On petition for writ of certiorari to the Supreme Court of the State of Illinois.

151, Misc.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of Illinois, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

In the Matter of Georg Eckstein, Petitioner.

Treating the application in this case as a motion for leave to file a petition for an original writ of habeas corpus,

It is ordered by this Court that leave to file be, and it is hereby, denied.

Per Mr. Chief Justice Vinson.

The Chief Justice, Mr. Justice Reed, Mr. Justice Frankfurter, and Mr. Justice Burton are of the opinion that there is want of jurisdiction.

Mr. Justice Black, Mr. Justice Douglas, Mr. Justice Murphy, and Mr. Justice Rutledge are of the opinion that the motion for leave to file should be granted and that the case should be set for argument forthwith.

Mr. Justice Jackson took no part in the consideration or decision of this application.

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Proclamation being made the Court is adjourned until Monday, November 4, next, at 12 o'clock.

Pursuant to adjournment the Court met at the Supreme Court Building.

PRESENT:

Hugo L. Black,
Stanley Reed,
Felix Frankfurter,
William O. Douglas,
Robert H. Jackson,
Wiley Rutledge,
Harold H. Burton.
Associate Justices.

Thomas Ennalls Waggaman, Esquire, Marshal,
Charles Elmore Cropley, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. John Lord O'Brian, It is ordered that Robert Alexander Irwin, Esquire, of New York, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. William F. Barry, It is ordered that Newell N. Fowler, Esquire, of Memphis, State of Tennessee, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Solicitor General Philip B. Perlman, It is ordered that Roscoe L. Barrow, Esquire, of Washington, District of Columbia, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Frank J. Ready, It is ordered that LeRoy Russell Krein, Esquire, of Chicago, State of Illinois, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Donald R. Richberg, It is ordered that Evo DeConcini, Esquire, of Phoenix, State of Arizona, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Walter R. Johnson, It is ordered that Edson Smith, Esquire, of Omaha, State of Nebraska, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Herbert S. Thatcher, It is ordered that George Pennell, Esquire, of Asheville, State of North Carolina, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. A. Lane Crichor, It is ordered that W. R. Wallace, Jr., Esquire, of San Francisco, State of California, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Jerome Marvey Simonds, It is ordered that Joseph Schector, Esquire, of Los Angeles, State of California, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Lawrence A. Lawler, It is ordered that Kathryn J. Lawler, of Chevy Chase, State of Maryland, be admitted to practice as an Attorney and Counsellor of this Court, and she was sworn accordingly. (Mrs.)

On motion first made to the Court in this behalf by Mr. Roy St. Lewis, It is ordered that Lloyd L. Stone, Esquire, of Tulsa, State of Oklahoma, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. F. Cleveland Hedrick, Jr., It is ordered that John R. Parkhill, Esquire, of Tampa, State of Florida, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Hoyt G. Irving, It is ordered that Elmer C. Coker, Esquire, of Phoenix, State of Arizona, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. William C. Cockley, It is ordered that Theodore R. Colborn, Esquire, of Cleveland, State of Ohio, and Walter A. Marting, Esquire, of Cleveland, State of Ohio, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

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Mari J. Holness, Petitioner, vs. The United States of America. On writ of certiorari to the United States Court of Appeals for the Ninth Circuit.

THIS CAUSE came on to be heard on the transcript of the record from the United States Court of Appeals for the Ninth Circuit, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is now here ordered and adjudged by this Court that the judgment of the said United States Court of Appeals, in this cause, be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the United States District Court for the Northern District of California for further proceedings in conformity with the opinion of this Court.

Per Mr. Justice Douglas.

Mandel Brothers, Inc., Petitioner, vs. John H. Wallace, Jr. On writ of certiorari to the United States Court of Appeals for the Seventh Circuit.

THIS CAUSE came on to be heard on the transcript of the record from the United States Court of Appeals for the Seventh Circuit, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is now here ordered and adjudged by this Court that the judgment of the said United States Court of Appeals, in this cause, be, and the same is hereby, reversed with costs; and that this

cause be, and the same is hereby, remanded to the United States District Court for the Northern District of Illinois for proceedings in conformity with the opinion of this Court.

Per Mr. Justice Black.

Concurring: Mr. Justice Douglas.

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Mr. Justice Black said:

"The orders of the Court appear upon the list filed with the Clerk and will not be announced orally."

Empresa Siderurgica, S. A., a Corporation of Columbia, South America, et al.,

Appellants,

327 vs.

County of Merced, a Municipal Corporation, et al.

The statement of jurisdiction in this case having been submitted and considered by the Court, probable jurisdiction is noted.

Per Mr. Chief Justice Vinson.

The United States of America,

Appellant,

330 vs.

The Interstate Commerce Commission, et al.

The statement of jurisdiction in this case having been submitted and considered by the Court, probable jurisdiction is noted.

Per Mr. Chief Justice Vinson.

American Communication Association,
C. I. O., et al.,

Appellants,

336 vs.

Charles T. Douds, Individually, etc.

The statement of jurisdiction in this case having been submitted and considered by the Court, probable jurisdiction is noted.

Per Mr. Chief Justice Vinson.

The United States, Order allowing certiorari.

Petitioner,

253 vs.

Penn Foundry and Manufacturing Company, Inc.

The petition herein for a writ of certiorari to the Court of Claims is granted. And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

National Labor Relations Board, Order allowing certiorari.

Petitioner,

258 vs.

The Pittsburgh Steamship Company.

The petition herein for a writ of certiorari to the United States Court of Appeals for the Sixth Circuit is granted.

And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

Defense Supplies Corporation and Reconstruction Finance Corporation,

Petitioners,

298 vs.

Lawrence Warehouse Company, et al.

Order allowing certiorari.

The petition herein for a writ of certiorari to the United States Court of Appeals for the Ninth Circuit is granted.

And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

Gerhart Eisler,

Petitioner,

259 vs.

The United States of America.

Order allowing certiorari.

The petition herein for a writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit is granted.

And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

Mr. Justice Burton took no part in the consideration or decision of this application.

Antonio Rullan,

Petitioner,

269 vs.

Rafael Buscaglia, Treasurer of Puerto Rico.

On petition for writ of certiorari to the United States Court of Appeals for the First Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the First Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Akers Motor Lines, Inc., Petitioner, vs. L. S. Newman and Garland Warren.

On petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Fifth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Commercial Casualty Insurance Company, Petitioner, vs. Mary Roberts.

On petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Sixth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Joseph A. Whetstone, Petitioner, vs. State of Washington.

On petition for writ of certiorari to the Supreme Court of the State of Washington.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of Washington, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Alice P. Keller,
Petitioner,
286 vs.
Paul A. Keller.

On petition for writ of certiorari to the Supreme Court of the State of Missouri.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of Missouri, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Lewis L. Strauss,
Petitioner,
288 vs.
Commissioner of Internal Revenue.

On petition for writ of certiorari to the United States Court of Appeals for the Second Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Second Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

David W. Lansden, et al.,
Petitioners,
289 vs.
William W. Hart, as United States Attorney for the Eastern District of Illinois, et al.

On petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Seventh Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Peter M. Anselmo,

Petitioner,

296 vs.

The State of Connecticut (Represented by William J. Cox, Highway Commissioner).

On petition for writ of certiorari to the Supreme Court of Errors of the State of Connecticut.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of Errors of the State of Connecticut, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

The Galion Metallic Vault Company,

Petitioner,

305 vs.

Edward G. Budd Manufacturing Company.

On petition for writ of certiorari to the United States Court of Appeals for the Third Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Third Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Barnes-Hanley Wet Wash Laundry Company and L. H. Barnes,

Petitioners,

306 vs.

The Automobile Insurance Company of Hartford, Connecticut.

On petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Tenth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Associated Telephone and Telegraph Company, et al., Petitioners, vs. Federal Telephone and Radio Corporation. On petition for writ of certiorari to the United States Court of Appeals for the Third Circuit.

308

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Third Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

York Corporation, Petitioner, vs. Refrigeration Engineering, Inc. On petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit.

309

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Ninth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

American Barge Line Company, Petitioner, vs. Otto J. Murphy. On petition for writ of certiorari to the United States Court of Appeals for the Third Circuit.

310

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Third Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

The United States of America, Petitioner,
314 vs.
Cal-Bay Corporation, Maria Faria, Joseph Faria, et al.

On petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Ninth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Fred A. Chapman and Elise Chapman, Petitioners,
315 vs.
The United States of America.

On petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Tenth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Gross Income Tax Division, State of Indiana, Petitioner,
338 vs.
Eileen Elizabeth Strauss.

On petition for writ of certiorari to the Supreme Court of the State of Indiana.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of Indiana, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Gross Income Tax Division, State of Indiana,
Petitioner,
339 vs.
R. Carl Quick.

On petition for writ of certiorari to the Supreme Court of the State of Indiana.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of Indiana, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Sam Arstein and Ben Arstein,
Petitioners,
342 vs.
Robert Reis & Company.

On petition for writ of certiorari to the Supreme Court of the State of New York, New York County.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of New York, New York County, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

O. V. Kessler,
Petitioner,
344 vs.
Thos. F. McGlone, Jr., Executor, et al.

On petition for writ of certiorari to the Supreme Court of Appeals of the Commonwealth of Virginia.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of Appeals of the Commonwealth of Virginia, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

[illegible] Eastern [illegible] Lines, and S. D. (Happy) Masters,

Petitioners,

vs.

Frank A. McCafferty.

On petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Sixth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

The Locke Machine Company,

Petitioner,

vs.

Commissioner of Internal Revenue.

On petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Sixth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Burton took no part in the consideration or decision of this application.

Nora Alice Adkins, et al.,

Petitioners,

vs.

J. W. Hamilton, as Tax Collector of Jefferson County, Alabama.

On petition for writ of certiorari to the Supreme Court of the State of Alabama.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of Alabama, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Black took no part in the consideration or decision of this application.

Joseph McGowan,

Petitioner,

311 vs.

J. H. Winchester & Co.; and

Pasquale Buro,

Petitioner,

312 vs.

American Petroleum Transport Corp., et al.

ON CONSIDERATION of the petition for an extension of time nunc pro tunc to file petition for writs of certiorari in these cases,

IT IS ORDERED by this Court that the said petition be, and it is hereby, denied.

Per Mr. Chief Justice Vinson.

Joseph McGowan, Petitioner, vs. J. H. Winchester & Co., Inc. 311

On petition for writ of certiorari to the United States Court of Appeals for the Second Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Second Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied for the reason that application therefor was not made within the time provided by law.

Per Mr. Chief Justice Vinson.

Pasquale Buro, Petitioner, vs. American Petroleum Transport Corp., et al. 312

On petition for writ of certiorari to the United States Court of Appeals for the Second Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Second Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied for the reason that application therefor was not made within the time provided by law.

Per Mr. Chief Justice Vinson.

John Howard Lawson,

Petitioner,

334 vs.

The United States of America.

On petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the District of Columbia Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Burton took no part in the consideration or decision of this application.

Filben Manufacturing Company, Inc., Bernice M. Filben, Patricia A. Filben, et al.,

Petitioners,

329 vs.

Rock-Ola Manufacturing Corporation of Delaware, et al.

On petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit.

It appearing to the Court that counsel for petitioners have filed a motion to dismiss the petition for writ of certiorari in this case,

Therefore, pursuant to said motion, it is ordered by this Court that the petition for writ of certiorari in this case be, and it is hereby, dismissed.

Per Mr. Chief Justice Vinson.

Alvin Krulewitch,

Petitioner,

143 vs.

The United States of America.

ON CONSIDERATION of the motion to enlarge the scope of review in this case,

IT IS ORDERED by this Court that the said motion be, and it is hereby, denied.

Per Mr. Chief Justice Vinson.

Harrison Parker,

Petitioner,

270 O.T. '47 vs.

People of the State of Illinois; and

Harrison Parker,

Petitioner,

428 O.T. '47 vs.

People of the State of Illinois.

ON CONSIDERATION of the petition of Harrison Parker for the establishment of another writ of review in these cases,

IT IS ORDERED by this Court that the said petition be, and it is hereby, denied.

Per Mr. Chief Justice Vinson.

Harry J. Alker, Jr., and Mamie Du Ban, Individually and as Executrix of the Estate of Alfred A. Du Ban,

Petitioners,

697 O.T. '47 vs.

Federal Deposit Insurance Corporation.

ON CONSIDERATION of the motion of counsel for petitioners for leave to file a third petition for rehearing in this case,

IT IS ORDERED by this Court that the said motion be, and it is hereby, denied.

Per Mr. Chief Justice Vinson.

Frank Lobaido,

Petitioner,

103 vs.

The People of the State of Michigan; and

Frank Lobaido,

Petitioner,

104 vs.

The People of the State of Michigan.

A petition for rehearing having been filed in these cases,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Carter Carburetor Corporation,

Petitioner,

123 vs.

Lawrence C. Kingsland, Commissioner of Patents.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Stanley H. Borak,

Petitioner,

141 vs.

The United States.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Remington Rand, Inc.,

Petitioner,

183 vs.

Royal Typewriter Company, Inc.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

North American Company,

Appellant,

265 vs.

William K. Koerner, Judge of the Circuit Court of the City of St. Louis.

ON CONSIDERATION of the motion for leave to file petition for rehearing out of time under Rule 33,

IT IS ORDERED by this Court that the said motion be, and it is hereby, denied. The motion for a stay of the mandate is also denied.

Per Mr. Chief Justice Vinson.

Charles Telfian,

Petitioner,

771 O. T. '43 vs.

The United States of America;

Charles Telfian,

Petitioner,

1185 O. T. '44 vs.

Joseph W. Sanford, Warden, etc.; and

Charles Telfian,

Petitioner,

63 Misc. O. T. '47 vs.

Joseph W. Sanford, Warden.

ON CONSIDERATION of the motion for leave to file a petition for rehearing in these cases,

IT IS ORDERED by this Court that the said motion be, and it is hereby, denied.

Per Mr. Chief Justice Vinson.

Wright Harris,

Petitioner,

519, Misc. O. T. '47 vs.

City of New York.

A second petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Roy Eaton,

Petitioner,

42, Misc. vs.

Joseph E. Ragen, Warden.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Ex parte Percy A. Whistler,

Petitioner.

79, Misc.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Frank Riley,

Petitioner,

95, Misc. vs.

The Citizens National Bank of Waco.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Francis Stelloh,

Petitioner,

136, Misc. vs.

Warden of the Wisconsin State Prison.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

George Jones,

Petitioner,

3, Misc. vs.

Joseph E. Ragen, Warden.

On petition for writ of certiorari to the Criminal Court of Cook County of the State of Illinois.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Criminal Court of Cook County of the State of Illinois, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

William B. Donnell,

Petitioner,

98, Misc. vs.

State of Missouri.

On petition for writ of certiorari to the Supreme Court of the State of Missouri.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of Missouri, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Christopher Joseph Maikisch, Petitioner, vs. People of the State of New York.

On petition for writ of certiorari to the Court of Appeals of the State of New York.

147, Misc.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Court of Appeals of the State of New York, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

George Foster, Petitioner, vs. Commonwealth of Pennsylvania.

On petition for writ of certiorari to the Supreme Court of the Commonwealth of Pennsylvania.

150, Misc.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the Commonwealth of Pennsylvania, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Lorne Lally, Petitioner, vs. People of the State of New York.

On petition for writ of certiorari to the Supreme Court of the State of New York, County of Orleans.

152, Misc.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of New York, County of Orleans, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

James Q. Mitchell, Petitioner, vs. Walter Nierstheimer, Warden. — On petition for writ of certiorari to the Supreme Court of the State of Illinois.

157, Misc.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of Illinois, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Charles Holt, Petitioner, vs. Ralph E. Benson, Warden. — On petition for writ of certiorari to the Supreme Court of the State of Michigan.

158, Misc.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of Michigan, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Ed Williams, Petitioner, vs. Joseph E. Ragen, Warden. — On petition for writ of certiorari to the Supreme Court of the State of Illinois.

159, Misc.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of Illinois, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Harry M. Davis, Petitioner, vs. Joseph E. Ragen, Warden. — On petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit.

160, Misc.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Seventh Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Perry Williams, Petitioner, vs. Walter Nierstheimer, Warden. — On petition for writ of certiorari to the Circuit Court of Pike County of the State of Illinois.

161, Misc.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Circuit Court of Pike County of the State of Illinois, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

William Walter Avelino, Petitioner, vs. People of the State of California. — On petition for writ of certiorari to the Supreme Court of the State of California.

163, Misc.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of California, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Stanley Pryor, Petitioner, vs. People of the State of California.

164, Misc.

On petition for writ of certiorari to the District Court of Appeal, 1st Appellate District, State of California.

ON CONSIDERATION of the petition for a writ of certiorari herein to the District Court of Appeal, 1st Appellate District, State of California, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Charles Evans, Petitioner, vs. The State of Illinois.

165, Misc.

On petition for writ of certiorari to the Circuit Court of Randolph County of the State of Illinois.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Circuit Court of Randolph County of the State of Illinois, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Joseph Sembly, Petitioner, vs. Col. E. T. Swenson.

168, Misc.

On petition for writ of certiorari to the Court of Appeals of the State of Maryland.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Court of Appeals of the State of Maryland, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Charles Skinner,
Petitioner,
174, Misc. vs.
Walter Miersheimer, Warden.

On petition for writ of certiorari to the Supreme Court of the State of Illinois.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of Illinois, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

John Wehr,
Petitioner,
175, Misc. vs.
Joseph E. Ragen, Warden.

On petition for writ of certiorari to the Supreme Court of the State of Illinois.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of Illinois, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Coy Thompson,
Petitioner,
182, Misc. vs.
State of Illinois.

On petition for writ of certiorari to the Supreme Court of the State of Illinois.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of Illinois, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Thomas Gibson,

Petitioner,

138, Misc. vs.

C. J. Burke.

ON CONSIDERATION of the motion for leave to file a petition for writ of habeas corpus herein,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mary A. Ruthven,

Petitioner,

167, Misc. vs.

Winfred Overholser.

ON CONSIDERATION of the motion for leave to file a petition for writ of habeas corpus herein,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Chauncey W. Moore,

Petitioner,

169, Misc. vs.

State of New Jersey.

ON CONSIDERATION of the motion for leave to file a petition for writ of habeas corpus herein,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Edward Smith,

Petitioner,

153, Misc. vs.

Ralph Howard, Warden.

ON CONSIDERATION of the motion for leave to file a petition for writ of certiorari herein,

IT IS ORDERED by this Court that the said motion be, and it is hereby, denied.

Per Mr. Chief Justice Vinson.

In the Matter of Albert Heim,

156, Misc. Petitioner.

Treating the application in this case as a motion for leave to file a petition for an original writ of habeas corpus,

IT IS ORDERED by this Court that leave to file be, and it is hereby, denied.

Per Mr. Chief Justice Vinson.

The Chief Justice, Mr. Justice Reed, Mr. Justice Frankfurter, and Mr. Justice Burton are of the opinion that there is want of jurisdiction.

Mr. Justice Black, Mr. Justice Douglas, Mr. Justice Murphy, and Mr. Justice Rutledge are of the opinion that the motion for leave to file should be granted and that the case should be set for argument forthwith.

Mr. Justice Jackson took no part in the consideration or decision of this application.

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Commissioner of Internal Revenue,

Petitioner,

32 vs.

Lewis F. Jacobson; and

Commissioner of Internal Revenue,

Petitioner,

33 vs.

Lewis F. Jacobson.

Argued by Mr. Arnold Raum for the petitioner, and by Mr. Theodore R. Colborn for the respondent.

National Mutual Insurance Company of
the District of Columbia,

Petitioner,

29 vs.

Tidewater Transfer Company, Incorporated,
a Corporation of the State of Virginia.

Argued by Mr. David G. Bress for the petitioner; by Mr. Solicitor General Perlman for the United States, as amicus curiae, by special leave of Court, and by Mr. Wendell D. Allen and Mr. Francis B. Burch for the respondent.

American Federation of Labor, Arizona
State Federation of Labor, et al.,

Appellants,

27 [illegible] vs.

American Sash & Door Company, et al.;

Lincoln Federal Labor Union #19129,
American Federation of Labor, et al.,

Appellants,

47 vs.

Northwestern Iron and Metal Company,
et al.; and

George Whitaker, A. M. Debruhl, T. G.
Embler, et al.,

Appellants,

34 vs.

State of North Carolina.

Six hours allowed for oral argument. Argument commenced by Mr. Herbert S. Thatcher for the appellants.

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Proclamation being made the Court is adjourned until tomorrow at 12 o'clock.

Pursuant to adjournment the Court met at the Supreme Court Building.

PRESENT:

Hugo L. Black,
Stanley Reed,
Felix Frankfurter,
William O. Douglas,
Robert H. Jackson,
Wiley Rutledge,
Harold H. Burton.
Associate Justices.

Thomas Ennalls Waggaman, Esquire, Marshal,

Charles Elmore Cropley, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Carl McFarland, It is ordered that Melvin D. Lurie, Esquire, of Seattle, State of Washington, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

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American Federation of Labor, Arizona State Federation of Labor, et al.,

Appellants,

27 vs.

American Sash & Door Company, et al.;

Lincoln Federal Labor Union #19129, American Federation of Labor, et al.,

Appellants,

47 vs.

Northwestern Iron and Metal Company, et al.; and

George Whitaker, A. M. Debruhl,
T. G. Embler, et al.,

Appellants,

34 vs.

State of North Carolina.

Argument continued by Mr. Herbert S. Thatcher for the appellants; by Mr. George Pennell for the appellants in No. 34; by Mr. H. S. McCluskey for the appellants in No. 27; by Mr. Donald R. Richberg for the appellees in No. 27; by Mr. Irving Hill for the appellee Northwestern Iron and Metal Company in No. 47; and by Mr. Edson Smith for the appellee Nebraska Small Business Men's Association in No. 47.

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Proclamation being made the Court is adjourned until tomorrow at 12 o'clock.

Pursuant to adjournment the Court met at the Supreme Court Building.

PRESENT:

The Honorable Fred M. Vinson, Chief Justice,
Hugo L. Black,
Stanley Reed,
Felix Frankfurter,
William O. Douglas,
Robert H. Jackson,
Wiley Rutledge,
Harold H. Burton. Associate Justices.

Thomas Ennalls Waggaman, Esquire, Marshal,

Charles Elmore Cropley, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Joseph E. Davies, It is ordered that T. Peter Ansberry, Esquire, of Washington, District of Columbia, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Joseph L. Rauh, Jr., It is ordered that Philip B. Kurland, Esquire, of New York, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. William H. Davis, It is ordered that John Hoxie, Esquire, of New York, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

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American Federation of Labor, Arizona State Federation of Labor, et al.,

Appellants,

27 vs.

American Sash & Door Company, et al.;

Lincoln Federal Labor Union #19129, American Federation of Labor, et al.,

Appellants,

47 vs.

Northwestern Iron and Metal Company, et al.; and

George Whitaker, A. M. Debruhl, T. G. Embler, et al.,

Appellants,

34 vs.

State of North Carolina.

Argument continued by Mr. Edson Smith for the appellee Nebraska Small Business Men's Association in No. 47; by Mr. Robert A. Nelson for the appellee The State of Nebraska in No. 47; by Mr. Ralph Moody for the appellee in No. 34; and concluded by Mr. Herbert S. Thatcher for the appellants.

Thoger Gronberg Jungersen,

Petitioner,

7 vs.

Ostby and Barton Company and American Associates, Inc.;

Ostby and Barton Company and American Associates, Inc.,

Petitioners,

8 vs.

Thoger Gronberg Jungersen; and

Thoger Gronberg Jungersen,

Petitioner,

48 vs.

Robert Baden, Rose Baden, Albert Foss, et al.

Argued by Mr. William H. Davis for Jungersen, and by Mr. John Vaughan Groner for Ostby and Barton Company, et al.

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Proclamation being made the Court is adjourned until Friday, November 12, next, at 12 o'clock.

FRIDAY, NOVEMBER 12, 1948.

Pursuant to adjournment the Court met at the Supreme Court Building.

PRESENT:

The Honorable Fred M. Vinson, Chief Justice,
Hugo L. Black,
Stanley Reed,
Felix Frankfurter,
William O. Douglas,
Robert H. Jackson,
Wiley Rutledge,
Harold H. Burton. Associate Justices.

Thomas Ennalls Waggaman, Esquire, Marshal,

Charles Elmore Cropley, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Robert W. Ginnane, It is ordered that Edward M. Belasco, Esquire, of Los Angeles, State of California, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Kenneth Dobson Miller, It is ordered that Bernard W. Menke, Esquire, of Exeter, State of Nebraska, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Gilbert A. Cuneo, It is ordered that Simon J. Nash, Esquire, of Buffalo, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. A. Rea Williams, It is ordered that Arthur B. Skidmore, Esquire, of Chicago, State of Illinois, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

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Andrew Upshaw,

Petitioner,

98 vs.

The United States of America.

Argued by Mr. Joel D. Blackwell for the petitioner, and by Mr. Robert S. Erdahl for the respondent.

Jess Larson, as War Assets Administrator and Surplus Property Administrator,

Petitioner,

31 vs.

Domestic and Foreign Commerce Corporation.

Argued by Mr. H. G. Morison for the petitioner, and by Mr. T. Peter Ansberry for the respondent.

Ayrshire Collieries Corporation, Big Ben Collieries, Inc., et al.,

Appellants,

25 vs.

The United States of America, Interstate Commerce Commission, et al.

Argument commenced by Mr. Earl B. Wilkinson for the appellants, Ayrshire Collieries Corporation, et al.

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Proclamation being made the Court is adjourned until Monday, November 15, next, at 12 o'clock.

MONDAY, NOVEMBER 15, 1948.

Pursuant to adjournment the Court met at the Supreme Court Building.

PRESENT:

The Honorable Fred M. Vinson, Chief Justice,
Hugo L. Black,
Stanley Reed,
Felix Frankfurter,
William O. Douglas,
Robert H. Jackson,
Wiley Rutledge,
Harold H. Burton,
Associate Justices.

Thomas Ennalls Waggaman, Esquire, Marshal,

Charles Elmore Cropley, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Solicitor General Philip B. Perlman, It is ordered that Eugene Daniel Powers, Esquire, of New York, State of New York; Harold Horace Woigel, Esquire, of New York, State of New York; and Abe W. Wasserman, Esquire, of Newark, State of New Jersey, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Tom Pickett, It is ordered that Summers A. Norman, Esquire, of Jacksonville, State of Texas, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. William Creighton Wines, It is ordered that Raymond S. Sarnow, Esquire, of Chicago, State of Illinois, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Dayton M. Harrington, It is ordered that Joseph P. Driscoll, Esquire, of Worcester, Commonwealth of Massachusetts, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. William S. Rahauser, It is ordered that Craig T. Stockdale, Esquire, of Pittsburgh, Commonwealth of Pennsylvania, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Wendell Lund, It is ordered that Louis A. Traxel, Esquire, of Saginaw, State of Michigan, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Walter W. Ahrens, It is ordered that Rowland L. Davis, Jr., Esquire, of New York, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. John Austin Latimer, It is ordered that B. D. Carter, Esquire, of Bamberg, State of South Carolina; Julian B. Salley, Jr., Esquire, of Aiken, State of South Carolina; and Leonard A. Williamson, Esquire, of Aiken, State of South Carolina, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. David Previant, It is ordered that Beatrice Lampert, of Madison, State of Wisconsin; Roger C. Minahan, Esquire, of Milwaukee, State of Wisconsin; and Thomas H. Skemp, Esquire, of La Crosse, State of Wisconsin, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

(Mrs.)

On motion first made to the Court in this behalf by Mr. John H. Connaughton, It is ordered that Earl G. Spiker, Esquire, of Silver Spring, State of Maryland, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

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Ford Motor Company, Appellant, vs. The United States of America; and

Commercial Investment Trust Corporation, Commercial Investment Trust, Inc., Universal Credit Corporation, et al., Appellants, vs. The United States of America.

1 Appeals from the United States District Court for the Northern District of Indiana.

THIS CAUSE came on to be heard on the transcript of the record from the United States District Court for the Northern District of Indiana, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is ordered and adjudged by this Court that the judgment or order of July 25, 1946, in this cause, be, and it is hereby, reversed; and that this cause be, and it is hereby, remanded to the District Court for proceedings not inconsistent with the opinion of this Court.

Per Mr. Justice Frankfurter.

Mr. Justice Murphy and Mr. Justice Jackson took no part in the consideration or decision of these cases.

Dissenting opinion by Mr. Justice Black in which Mr. Justice Rutledge concurs.

Mr. Justice Douglas joins in the opinion of Mr. Justice Black insofar as it protests against lifting the ban on Ford's acquisition of or affiliation with a finance company.

Julia Eckenrode, Administratrix of the Estate of John Henry Eckenrode, Deceased, Petitioner, vs. Pennsylvania Railroad Company.

28 On writ of certiorari to the United States Court of Appeals for the Third Circuit.

THIS CAUSE came on to be heard on the transcript of the record from the United States Court of Appeals for the Third Circuit, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is now here ordered and adjudged by this Court that the judgment of the said United States Court of Appeals, in this cause, be, and the same is hereby, affirmed with costs; and that this cause be, and the same is hereby, remanded to the United States District Court for the Eastern District of Pennsylvania.

Per Mr. Chief Justice Vinson.

Dissenting: Mr. Justice Black, Mr. Justice Douglas, Mr. Justice Murphy, and Mr. Justice Rutledge.

Eugene M. Murphey, Jr., et al., Petitioners,

206 vs.

M. T. Reed, et al., a Copartnership, Doing Business as M. T. Reed Construction Company.

Order allowing certiorari.

The petition herein for a writ of certiorari to the United States Court of Appeals for the Fifth Circuit is granted.

And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

Eugene M. Murphey, Jr., et al., Petitioners,

206 vs.

M. T. Reed, et al., a Copartnership Doing Business as M. T. Reed Construction Company.

On writ of certiorari to the United States Court of Appeals for the Fifth Circuit.

THIS CAUSE came on to be heard on the transcript of the record from the United States Court of Appeals for the Fifth Circuit, and was duly submitted.

ON CONSIDERATION WHEREOF, it is ordered and adjudged by this Court that the judgment of the Court of Appeals and the judgment of the District Court in this cause be, and they are hereby, vacated without costs in this Court to either party.

IT IS FURTHER ORDERED that this cause be, and it is hereby, remanded to the United States District Court for the Southern District of

Mississippi with instructions to dismiss those causes of action involving solely construction work, and to reconsider the remaining causes of action in the light of the decision of this Court in Kennedy, et al. v. Silas Mason Co., 334 U. S. 249.

Per Mr. Chief Justice Vinson.

Mr. Justice Rutledge is of the opinion that the case as a whole should be remanded to the District Court for further proceedings in view of the decision of this Court in Kennedy, et al. vs. Silas Mason Co.

Dissenting: Mr. Justice Black, Mr. Justice Douglas, and Mr. Justice Murphy.

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The Chief Justice announced the following orders of the Court:

Sam Hanna Fogel,
Petitioner,
vs.
The United States of America.

On writ of certiorari to the United States Court of Appeals for the Fifth Circuit.

116

UPON CONSIDERATION of the record and the Government's confession of error in this case, it is ordered by this Court that the judgment of the Court of Appeals be, and it is hereby, reversed.

IT IS FURTHER ORDERED that this case be, and it is hereby, remanded to the United States District Court for the Northern District of Texas with directions to vacate its order denying the motion for a new trial and to grant a new trial.

Per Mr. Chief Justice Vinson.

Nick Masich,
Appellant,
vs.
United States Smelting, Refining and Mining Company and F. S. Mulock.

Appeal from the Supreme Court of the State of Utah.

362

THIS CAUSE came on to be heard on the transcript of the record from the Supreme Court of the State of Utah, and on motion to dismiss, which was duly submitted.

ON CONSIDERATION WHEREOF, It is now here ordered by this Court that the motion to dismiss the appeal herein be, and the same is hereby, granted.

IT IS FURTHER ORDERED that the appeal herein be, and the same is hereby, dismissed for the want of a properly presented federal question.

Per Mr. Chief Justice Vinson.

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The Chief Justice said:

"The other orders of the Court appear upon the list certified by the Chief Justice and filed with the Clerk and will not be announced orally."

ORDER

It is ordered that the Rules of this Court be amended by adding thereto Rule 38 1/2, to read as follows:

"38 1/2

"State Criminal Cases--Time for taking appeal or filing petition for writ of certiorari

"An appeal taken, or petition for writ of certiorari filed, seeking review of a judgment of a state court of last resort in a criminal case, shall be taken or filed within the ninety days prescribed in 28 United States Code, section 2101 (c), Approved June 25, 1948.

"So far as applicable, the general considerations and provisions of Rules 36 and 38 will control in respect to an appeal taken or petition for writ of certiorari filed in a criminal case from a state court of last resort."

La Crosse Telephone Corporation,

Appellant,

38 vs.

Wisconsin Employment Relations Board, et al.; and

International Brotherhood of Electrical Workers, Local B-953, A. F. of L.,

Appellant,

39 vs.

Wisconsin Employment Relations Board, et al.

ON CONSIDERATION of the motion of Communications Workers of America, Division 23, to be made a party of record and to participate in the oral argument in these cases,

IT IS ORDERED by this Court that the said motion be, and it is hereby, denied. Leave is granted to file a brief as amicus curiae.

Per Mr. Chief Justice Vinson.

Baxter Griffin,

Petitioner,

41, Misc. vs.

The United States of America.

On petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, granted. The case is transferred to the appellate docket as No. 417.

Per Mr. Chief Justice Vinson.

Edward Gibbs,

Petitioner,

127, Misc. vs.

C. J. Burke, Warden.

On petition for writ of certiorari to the Supreme Court of the Commonwealth of Pennsylvania.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, granted. The case is transferred to the appellate docket as No. 418.

Per Mr. Chief Justice Vinson.

The United States of America, ex rel. Richard Eichenlaub,

Petitioner,

260 vs.

W. Frank Watkins, as District Director of Immigration and Naturalization of the United States for the District of New York, etc.

On petition for writ of certiorari to the United States Court of Appeals for the Second Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Second Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Brotherhood of Locomotive Engineers, et al.,

Petitioners,

277 vs.

The United States of America.

On petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the District of Columbia Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

First State Bank of Stratford,

Petitioner,

285 vs.

Commissioner of Internal Revenue.

On petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Fifth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Hickey & Company, a Partnership Composed of William L. Hickey, et al., as Partners and Individually,

Petitioners,

293 vs.

The United States of America and Robert P. Patterson, Secretary of War.

On petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Fifth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Charles W. Mulcahy, Trustee of Boston and Providence Railroad Corporation,

Petitioner,

316 vs.

The New York, New Haven and Hartford Railroad Company, et al.

On petition for writ of certiorari to the United States Court of Appeals for the Second Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Second Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Pietro Cingrigrani, et al.,

Petitioners,

340 vs.

B. H. Hubbert & Son, Inc.

On petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Fourth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Ray G. Houston As and Constituting the County Treasurer of Sacramento County, State of California, etc.,

Petitioner,

345 vs.

Thomas McCormack, et al., As and Constituting the Board of Trustees of Reclamation District No. 1000.

On petition for writ of certiorari to the District Court of Appeal, 3rd Appellate District, State of California.

ON CONSIDERATION of the petition for a writ of certiorari herein to the District Court of Appeal, 3rd Appellate District, State of California, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Cesario Campa, Alias Cesar Campa,

Petitioner,

142 vs.

The United States of America.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Excel Auto Radiator Company,

Petitioner,

162 vs.

The Bishop and Babcock Manufacturing Company.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

J. R. Mason,

Petitioner,

177 vs.

Paradise Irrigation District.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Floyd A. Boyle,

Petitioner,

173, Misc. vs.

Joseph E. Ragen, Warden.

On petition for writ of certiorari to the Supreme Court of the State of Illinois.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of Illinois, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Walter Spicher,

Petitioner,

181, Misc. vs.

Joseph E. Ragen, Warden.

On petition for writ of certiorari to the Circuit Court of Will County of the State of Illinois.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Circuit Court of Will County of the State of Illinois, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

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The Court will take a recess from Monday, November 22, until Monday, December 6, next.

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Ayrshire Collieries Corporation, Big Ben Collieries, Inc., et al.,

Appellants,

25 vs.

The United States of America, Interstate Commerce Commission, et al.

Argument continued by Mr. Carson L. Taylor for the appellant, Chicago, Milwaukee, St. Paul and Pacific Railroad Company; by Mr. Daniel W. Knowlton for the appellees, The United States and Interstate Commerce Commission; by Mr. Erle J. Zoll, Jr., for the appellees, The Alton Railroad Company, et al., and concluded by Mr. Earl B. Wilkinson for the appellants, Ayrshire Collieries Corporation, et al.

George T. Goggin, Trustee in Bankruptcy of the Estate of Kessco Engineering Corporation,

Petitioner,

35 vs.

Division of Labor Law Enforcement, State of California, Statutory Assignee of Certain Prior Wage Claimants.

Argued by Mr. Martin Gendel for the petitioner; by Mr. Robert W. Ginnane for the United States, as amicus curiae, by special leave of Court, and by Mr. Edward M. Belasco for the respondent.

Elmer Uvegos,

Petitioner,

75 vs.

Commonwealth of Pennsylvania.

Argument commenced by Mr. Albert A. Fiok for the petitioner.

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Proclamation being made the Court is adjourned until tomorrow at 12 o'clock.

Pursuant to adjournment the Court met at the Supreme Court Building.

PRESENT:

The Honorable Fred M. Vinson, Chief Justice,
Hugo L. Black,
Stanley Reed,
Felix Frankfurter,
William O. Douglas,
Robert H. Jackson,
Wiley Rutledge,
Harold H. Burton. Associate Justices.

Thomas Ennalls Waggaman, Esquire, Marshal,

Charles Elmore Cropley, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Samuel B. Hill, It is ordered that Samuel Billingsley Hill, Jr., Esquire, of Washington, District of Columbia, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Albert H. Cole, It is ordered that Albert Harvey Cole, Jr., Esquire, of Peru, State of Indiana, and Hiram Gillett Miller, Esquire, of Rochester, State of Indiana, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Gerhard Van Arkel, It is ordered that Herbert Fuchs, Esquire, of Washington, District of Columbia, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Charles T. Akre, It is ordered that Robert W. Richards, Esquire, of Oklahoma City, State of Oklahoma, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. David Previant, It is ordered that Donald J. Martin, Esquire, of Milwaukee, State of Wisconsin, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Arthur Goldblatt, It is ordered that Edward Goldblatt, Esquire, of Chicago, State of Illinois, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Al. Philip Kane, It is ordered that Manuel Howard Stein, Esquire, of Hibbing, State of Minnesota, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Miss Patricia H. Collins, It is ordered that Ricey S. New, Jr., Esquire, of Washington, District of Columbia, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

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Elmer Uveges,

Petitioner,

75 vs.

Commonwealth of Pennsylvania.

Argument continued by Mr. Albert A. Fiok for the petitioner; by Mr. William S. Rahauser for the respondent, and concluded by Mr. Albert A. Fiok for the petitioner.

L. D. Harris,

Petitioner,

76 vs.

State of South Carolina.

Argued by Mr. Julian B. Salley, Jr., and Mr. Leonard A. Williamson for the petitioner, and by Mr. B. D. Carter for the respondent.

Aaron Turner,

Petitioner,

107 vs.

Commonwealth of Pennsylvania.

Argument commenced by Mr. Edwin P. Rome for the petitioner.

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Proclamation being made the Court is adjourned until tomorrow at 12 o'clock.

WEDNESDAY, NOVEMBER 17, 1948.

Pursuant to adjournment the Court met at the Supreme Court Building.

PRESENT:

The Honorable Fred M. Vinson, Chief Justice,
Hugo L. Black,
Stanley Reed,
Felix Frankfurter,
William O. Douglas,
Robert H. Jackson,
Wiley Rutledge,
Harold H. Burton. Associate Justices.

Thomas Ennalls Waggaman, Esquire, Marshal,

Charles Elmore Cropley, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Herbert Lipsitz, It is ordered that Charles Schwartz, Esquire, of Boston, Commonwealth of Massachusetts, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. I. Henry Kutz, It is ordered that Daniel Francis Cleary, Jr., Esquire, of Chicago, State of Illinois, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Charles C. Collins, It is ordered that Samuel Marion, Esquire, of New York, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Oscar H. Davis, It is ordered that Robert Edward Kline, Esquire, of Pittsburgh, Commonwealth of Pennsylvania, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Edmund Elliott Shepherd, It is ordered that Charles M. A. Martin, Esquire, of Detroit, State of Michigan, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

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Aaron Turner,

Petitioner,

107 vs.

Commonwealth of Pennsylvania.

Argument continued by Mr. Edwin P. Rome for the petitioner; by Mr. Colbert C. McClain for the respondent, and concluded by Mr. Edwin P. Rome for the petitioner.

Jack O'Lee Young,

Petitioner,

50 vs.

Joseph E. Ragen, Warden, Illinois State Penitentiary, Joliet, Illinois.

Argued by Mr. Edward H. Levi for the petitioner, and by Mr. William C. Wines for the respondent.

International Union, U. A. W., A. F. of L., Local 232, et al.,

Petitioners,

14 vs.

Wisconsin Employment Relations Board, et al.; and

International Union, U. A. W., A. F. of L., Local 232, et al.,

Petitioners,

15 vs.

Wisconsin Employment Relations Board, et al.

Argument commenced by Mr. David Previant for the petitioners.

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Proclamation being made the Court is adjourned until tomorrow at 12 o'clock.

THURSDAY, NOVEMBER 18, 1948.

Pursuant to adjournment the Court met at the Supreme Court Building.

PRESENT:

The Honorable Fred M. Vinson, Chief Justice,
Hugo L. Black,
Stanley Reed,
Felix Frankfurter,
William O. Douglas, Associate Justices.
Robert H. Jackson,
Wiley Rutledge
Harold H. Burton.
Thomas Ennalls Waggaman, Esquire, Marshal,
Charles Elmore Cropley, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Edwin D. Dupree, Jr., It is ordered that Paul Marshall, Esquire, of Cleveland, State of Ohio; Max N. Bass, Esquire, of New York, State of New York; William S. Kaplan, Esquire, of Chicago, State of Illinois; Clinton J. Crandall, Esquire, of Seattle, State of Washington; Lowell D. Gibbons, Esquire, of Texarkana, State of Arkansas; H. C. Happ, Esquire, of Dallas, State of Texas; William McC. Baumann, Esquire, of Cleveland, State of Ohio; Sidney Feinberg, Esquire, of Berkeley, State of California; and John W. Crenshaw, Esquire, of Atlanta, State of Georgia, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Prentice E. Edrington, It is ordered that James H. Morrison, Esquire, of Hammond, State of Louisiana, and Cameron C. McCann, Esquire, of New Orleans, State of Louisiana, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Miss Elizabeth F. Reed, It is ordered that Sara Louise Buchanan, of Alexandria, Commonwealth of Virginia, be admitted to practice as an Attorney and Counsellor of this Court, and she was sworn accordingly. (Miss)

On motion first made to the Court in this behalf by Mr. Arthur Worischek, It is ordered that Rudolph S. Biey, Esquire, of Milligan College, State of Tennessee, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Thomas H. Skemp, It is ordered that Thomas Harris Reid, Esquire, of Portsmouth, Commonwealth of Virginia, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Stanley M. Silverberg, It is ordered that Richard F. Wolfson, Esquire, of New York, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Paul F. Douglass, It is ordered that A. James Martin, Esquire, of Washington, District of Columbia, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

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International Union, U. A. W., A. F. of L., Local 232, et al.,

Petitioners,

14 vs.

Wisconsin Employment Relations Board, et al.; and

International Union, U. A. W., A. F. of L., Local 232, et al.,

Petitioners,

15 vs.

Wisconsin Employment Relations Board, et al.

Argument continued by Mr. David Previant for the petitioners; by Mrs. Beatrice Lampert for the respondent, Wisconsin Employment Relations Board; by Mr. Jackson M. Bruce for the respondent, Briggs and Stratton Corporation, and concluded by Mr. David Previant for the petitioners.

Algoma Plywood and Veneer Company,

Petitioner,

216 vs.

Wisconsin Employment Relations Board.

Argued by Mr. Roger C. Minahan for the petitioner, and by Mrs. Beatrice Lampert for the respondent.

La Crosse Telephone Corporation,

Appellant,

38 vs.

Wisconsin Employment Relations Board, et al.; and

International Brotherhood of Electrical Workers, Local B-953, A. F. of L.,

Appellant,

39 vs.

Wisconsin Employment Relations Board, et al.

Argument commenced by Mr. Louis Sherman for the appellant in No. 39, and continued by Mr. Thomas H. Skemp for the appellant in No. 38.

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Proclamation being made the Court is adjourned until tomorrow at 12 o'clock.

Pursuant to adjournment the Court met at the Supreme Court Building.

PRESENT:

The Honorable Fred M. Vinson, Chief Justice,
Hugo L. Black,
Stanley Reed,
Felix Frankfurter,
William O. Douglas,
Robert H. Jackson,
Wiley Rutledge,
Harold H. Burton. Associate Justices.

Thomas Ennalls Waggaman, Esquire, Marshal,
Charles Elmore Cropley, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Herbert R. O'Conor, It is ordered that Bernard G. Peter, Esquire, of Baltimore, State of Maryland; Anselm Sodaro, Esquire, of Baltimore, State of Maryland; and Joseph Kolodny, Esquire, of Baltimore, State of Maryland, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Craig L. Reddish, It is ordered that Joel Presley Moore, Esquire, of New York, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Robert L. Stern, It is ordered that B. V. Hampton, Esquire, of Pratt, State of Kansas, and Norman Wren Jeter, Esquire, of Hays, State of Kansas, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Raymond P. Garrity, It is ordered that William F. McDonnell, Esquire, of Washington, District of Columbia, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Harry W. F. Glemser, It is ordered that Vernon D. Beehler, Esquire, of Los Angeles, State of California, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Walter M. Bastian, It is ordered that C. Wylie Allen, Esquire, of Chicago, State of Illinois, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Osmond K. Fraenkel, It is ordered that Nancy Fraenkel Wechsler, of Washington, District of Columbia, be admitted to practice as an Attorney and Counsellor of this Court, and she was sworn accordingly. (Mrs.)

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La Crosse Telephone Corporation,

Appellant,

38 vs.

Wisconsin Employment Relations Board, et al.; and

International Brotherhood of Electrical Workers, Local B-953, A. F. of L.,

Appellant,

39 vs.

Wisconsin Employment Relations Board, et al.

Argument continued by Mr. Thomas H. Skemp for the appellant in No. 38; by Mrs. Beatrice Lampert for the appellees, and concluded by Mr. Louis Sherman for the appellant in No. 39.

Valentine Goesaert, et al.,

Appellants,

49 vs.

Owen J. Cleary, et al., Members of the Liquor Control Commission of the State of Michigan.

Argued by Miss Anne R. Davidow for the appellants, and by Mr. Edmund E. Shepherd for the appellees.

Oklahoma Tax Commission,

Petitioner,

40 vs.

The Texas Company; and

Oklahoma Tax Commission,

Petitioner,

41 vs.

Magnolia Petroleum Company.

Argued by Mr. R. F. Barry for the petitioner, by Mr. Robert W. Richards for the respondent in No. 41, and by Mr. B. W. Griffith for the respondent in No. 40.

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Proclamation being made the Court is adjourned until Monday, November 22, next, at 12 o'clock.

MONDAY, NOVEMBER 22, 1948.

Pursuant to adjournment the Court met at the Supreme Court Building.

PRESENT:

The Honorable Fred M. Vinson, Chief Justice,
Hugo L. Black,
Stanley Reed,
Felix Frankfurter,
Robert H. Jackson,
Wiley Rutledge,
Harold H. Burton,
Associate Justices.

Thomas Ennalls Waggaman, Esquire, Marshal,

Charles Elmore Cropley, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Will Shafroth, It is ordered that George Cosson, Jr., Esquire, of Des Moines, State of Iowa, and Eli E. Dorsey, Esquire, of Seattle, State of Washington, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Jacob Reck, It is ordered that Edward E. Reilly, Esquire, of Trenton, State of New Jersey, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Kelly Kash, It is ordered that James R. Reynolds, Esquire, of Washington, District of Columbia, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Herman A. Greenberg, It is ordered that Barney Rosenstein, Esquire, of New York, State of New York, and Leo Praeger, Esquire, of New York, State of New York, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Arthur J. Gang, It is ordered that A. Richard Greene, Esquire, of New York, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. David A. Turner, It is ordered that E. R. Hinkle, Esquire, of Little Rock, State of Arkansas, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Edgar Turlington, It is ordered that Orville A. Park, Jr., Esquire, of Macon, State of Georgia, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Lester Asher, It is ordered that Charles P. Scully, Esquire, of San Francisco, State of California, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. M. Taft Woodruff, It is ordered that Aloysius C. Falussy, Esquire, of New York, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Maurice W. Covert, It is ordered that John E. Manders, Esquire, of Anchorage, Territory of Alaska, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. William Blum, Jr., It is ordered that Lawrence A. Harvey, Esquire, of Los Angeles, State of California, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Donald E. Lane, It is ordered that Paul N. Culp, Esquire, of Washington, District of Columbia, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

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Grand River Dam Authority, a Public Corporation,

Petitioner,

6 vs.

Grand-Hydro, a Private Corporation.

On writ of certiorari to the Supreme Court of the State of Oklahoma.

THIS CAUSE came on to be heard on the transcript of the record from the Supreme Court of the State of Oklahoma, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is ordered and adjudged by this Court that the judgment of the said Supreme Court, in this cause, be, and the same is hereby, affirmed with costs.

Per Mr. Justice Burton.

Dissenting opinion by Mr. Justice Douglas in which Mr. Justice Black, Mr. Justice Rutledge, and Mr. Justice Murphy join.

Lelord Kordel,

Petitioner,

30 vs.

The United States of America.

On writ of certiorari to the United States Court of Appeals for the Seventh Circuit.

THIS CAUSE came on to be heard on the transcript of the record from the United States Court of Appeals for the Seventh Circuit, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is now here ordered and adjudged by this Court that the judgment of the said United States Court of Appeals, in this cause, be, and the same is hereby, affirmed; and that this cause be, and the same is hereby, remanded to the United States District Court for the Northern District of Illinois.

Per Mr. Justice Douglas.

Dissenting opinion by Mr. Justice Black in which Mr. Justice Frankfurter, Mr. Justice Murphy, and Mr. Justice Jackson concur.

The United States of America,

Petitioner,

13 vs.

Fred Urbuteit, Claimant of 16 Articles of Device, More or Less, Labeled "Sinuothermic", etc.

On writ of certiorari to the United States Court of Appeals for the Fifth Circuit.

THIS CAUSE came on to be heard on the transcript of the record from the United States Court of Appeals for the Fifth Circuit, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is now here ordered and adjudged by this Court that the judgment of the said United States Court of Appeals, in this cause, be, and the same is hereby, reversed; and that this cause be, and the same is hereby, remanded to the said Court of Appeals for further proceedings in conformity with the opinion of this Court.

Per Mr. Justice Douglas.

Dissenting: Mr. Justice Black, Mr. Justice Frankfurter, Mr. Justice Murphy, and Mr. Justice Jackson.

Grace W. Adkins, as Administratrix of the Estate of P. V. Adkins, Deceased,

Petitioner,

1, Misc. vs.

E. I. DuPont de Nemours & Co., Inc., Respondent, The United States of America, Intervenor.

On writ of certiorari to the United States Court of Appeals for the Tenth Circuit.

THIS CAUSE came on to be heard on the transcript of the record from the United States Court of Appeals for the Tenth Circuit, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is now here ordered and adjudged by this Court that the orders of the District Court and of the said United States Court of Appeals, denying an appeal in forma pauperis in this cause, be, and the same are hereby, vacated; and that this cause be, and the same is hereby, remanded to the United States District Court for the Northern District of Oklahoma for further proceedings not inconsistent with the opinion of this Court.

Per Mr. Justice Black.

Grace W. Adkins, as Administratrix of the Estate of P. V. Adkins, Deceased,

Petitioner,

1, Misc. vs.

E. I. DuPont de Nemours & Co., Inc., Respondent, The United States of America, Intervenor.

On petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, granted.

Per Mr. Chief Justice Vinson.

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The Chief Justice said:

"The orders of the Court appear upon the list certified by the Chief Justice and filed with the Clerk and will not be announced orally."

In re William Anthony Leeds.

No. ____.

ON CONSIDERATION of the motion to amend the attorney roll to show the change of name of William Liebermann to William Anthony Leeds,

IT IS ORDERED by this Court that the said motion be, and it is hereby, granted.

Per Mr. Chief Justice Vinson.

The State of Illinois,

Complainant,

9, Original vs.

The State of Indiana, et al.

ON CONSIDERATION of the motion to withdraw the appearance of Harry H. Stilley as counsel for the defendant, City of Hammond, in this cause,

IT IS ORDERED by this Court that the said motion be, and it is hereby, granted.

Per Mr. Chief Justice Vinson.

John H. Criner and Mary E. Criner,

Petitioners,

82 vs.

V. S. Parham, et al.

ON CONSIDERATION of the motion of counsel for petitioners to tax two-thirds of the cost of printing the record in this case against the respondents,

IT IS ORDERED by this Court that the said motion be, and it is hereby, denied.

Per Mr. Chief Justice Vinson.

William Farrell,

Petitioner,

267 vs.

The United States of America, et al.

ON CONSIDERATION of the motion to dispense with the printing of the record in this case,

IT IS ORDERED by this Court that the said motion be, and it is hereby, granted.

Per Mr. Chief Justice Vinson.

William Farrell, Order allowing certiorari.

Petitioner,

267 vs.

United States of America, War Shipping Administration, Luckenbach Steamship Company.

The petition herein for a writ of certiorari to the United States Court of Appeals for the Second Circuit is granted.

And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

Aeronautical Industrial District Lodge 727, an unincorporated Association,

Petitioner,

333 vs.

James L. Campbell, et al.

Order allowing certiorari.

The petition herein for a writ of certiorari to the United States Court of Appeals for the Ninth Circuit is granted, and the case is transferred to the summary docket.

And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

Cosmopolitan Shipping Company, Inc.,

Petitioner,

351 vs.

Robert A. McAllister.

Order allowing certiorari.

The petition herein for a writ of certiorari to the United States Court of Appeals for the Second Circuit is granted. The case is transferred to the summary docket and assigned to follow No. 179.

And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

Fred W. Fink,

Petitioner,

360. vs.

Shepard Steamship Company.

Order allowing certiorari.

The petition herein for a writ of certiorari to the Supreme Court of the State of Oregon is granted. The case is transferred to the summary docket and assigned to follow Nos. 179 and 351.

And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

Sam Zimmerman,

Petitioner,

118, Misc. vs.

State of Maryland.

On petition for writ of certiorari to the Court of Appeals of the State of Maryland.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, granted. The case is transferred to the appellate docket as No. 429. The case is placed on the summary docket.

IT IS FURTHER ORDERED that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to the writ of certiorari.

Per Mr. Chief Justice Vinson.

Isaac Gaynor,

Petitioner,

162, Misc. vs.

Agwilines, Incorporated.

On petition for writ of certiorari to the United States Court of Appeals for the Third Circuit.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, granted. The case is transferred to the appellate docket as No. 430. The case is placed on the summary docket and assigned for argument immediately following No. 360.

It is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to the writ of certiorari.

Per Mr. Chief Justice Vinson.

South Buffalo Railway Company,
Petitioner,
318 vs.
The United States of America.

On petition for writ of certiorari to the United States Court of Appeals for the Second Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Second Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Frank A. Colonell,
Petitioner,
326 vs.
Benjamin S. Goodman, William Pleet, Sadie G. Pleet, et al.

On petition for writ of certiorari to the United States Court of Appeals for the Third Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Third Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Kansas City Terminal Railway Company,
Petitioner,
328 vs.
Frank A. Thompson, Trustee of and for St. Louis-San Francisco Railway Company, et al.

On petition for writ of certiorari to the Supreme Court of the State of Missouri.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of Missouri, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Theodore Darr, John Dudasik, Thomas Faracher, et al.,

Petitioners,

337 vs.

The Mutual Life Insurance Company of New York.

On petition for writ of certiorari to the United States Court of Appeals for the Second Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Second Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

United Funds, Inc.,

Petitioner,

341 vs.

Dan M. Nee, United States Collector of Internal Revenue for the Sixth District of Missouri.

On petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Eighth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Estate of Hyman Y. Josephs, Deceased, Arthur C. Josephs, Executor,

Petitioner,

346 vs.

Commissioner of Internal Revenue.

On petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Eighth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

La Salle-Madison Hotel Company, Petitioner,
350 vs.
William Dunsterville Denham.

On petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Seventh Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

R. W. Claxton, Incorporated, Petitioner,
354 vs.
Boyd P. Schaff, et al.

On petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the District of Columbia Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Harry (Buck) Owens, Petitioner,
358 vs.
The Curtiss Candy Company, a Corporation.

On petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Eighth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Felix T. Boylan, et al.,

Petitioners,

363 vs.

Louis Detrio, et al.

On petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Fifth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

John Weber,

Petitioner,

268 vs.

The United States of America.

ON CONSIDERATION of the motion to dispense with the printing of the petition, brief, and record in this case,

IT IS ORDERED by this Court that the said motion be, and it is hereby, granted.

Per Mr. Chief Justice Vinson.

John Weber,

Petitioner,

268 vs.

The United States of America.

On petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Fifth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Alfred S. Penn,

Petitioner,

19 vs.

Chicago and North Western Railway Company.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Joan Brodel (Professionally Known as Joan Leslie),

Petitioner,

233 vs.

Warner Bros. Pictures, Inc.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Samuel O. Blanc,

Petitioner,

241 vs.

Spartan Tool Company.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Robert S. Martin,

Petitioner,

53, Misc. vs.

The United States of America.

On petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Fourth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Minnie Harris,

Petitioner,

78, Misc. vs.

The United States of America.

On petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the District of Columbia Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

In the Matter of Oscar B. Elam,

Petitioner.

90, Misc.

On petition for writ of certiorari to the Supreme Court of the State of Missouri.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of Missouri, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Gilbert E. Thiel,

Petitioner,

148, Misc. vs.

Southern Pacific Company.

On petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Ninth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Allen Wallace,

Petitioner,

166, Misc. vs.

Joseph E. Ragen, Warden.

On petition for writ of certiorari to the Criminal Court of Cook County of the State of Illinois.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Criminal Court of Cook County of the State of Illinois, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

August Daniels,

Petitioner,

189, Misc. vs.

Stanley P. Ashe, Warden.

On petition for writ of certiorari to the Supreme Court of the Commonwealth of Pennsylvania.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the Commonwealth of Pennsylvania, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Harry Price,

Petitioner,

190, Misc. vs.

Joseph E. Ragen, Warden.

On petition for writ of certiorari to the Circuit Court of McLean County of the State of Illinois.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Circuit Court of McLean County of the State of Illinois, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Norman J. Brabson,

Petitioner,

195, Misc. vs.

State of New York.

On petition for writ of certiorari to the Court of Appeals of the State of New York.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Court of Appeals of the State of New York, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

David MacBlain,

Petitioner,

201, Misc. vs.

Commonwealth of Pennsylvania.

On petition for writ of certiorari to the Supreme Court of the Commonwealth of Pennsylvania.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the Commonwealth of Pennsylvania, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Charles W. Martin,

Petitioner,

203, Misc. vs.

People of the State of California.

On petition for writ of certiorari to the Supreme Court of the State of California.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of California, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

John K. Meredith,

Petitioner,

50, Misc. vs.

Thomas J. Gough, Acting Warden.

ON CONSIDERATION of the motion to substitute William H. Hiatt, Warden, as the party respondent in this case,

IT IS ORDERED by this Court that the said motion be, and it is hereby, granted.

Per Mr. Chief Justice Vinson.

John K. Meredith,

Petitioner,

50, Misc. vs.

William H. Hiatt, Warden.

On petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Fifth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Earnest W. Howell,

Petitioner,

188, Misc. vs.

James M. Jones, Warden.

ON CONSIDERATION of the motion for leave to file a petition for writ of habeas corpus herein,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Earl Pack,

Petitioner,

191, Misc. vs.

Dr. H. Perry, Superintendent.

ON CONSIDERATION of the motion for leave to file a petition for writ of habeas corpus herein,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

James J. Mahoney,

Petitioner,

192, Misc. vs.

L. P. Chapman, Superintendent.

ON CONSIDERATION of the motion for leave to file a petition for writ of habeas corpus herein,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Irwin Kadans,

Petitioner,

197, Misc. vs.

Hon. Philip L. Sullivan, U. S. District Judge.

ON CONSIDERATION of the motion for leave to file a petition for writ of mandamus herein,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

ORDER

"IT IS ORDERED BY THIS COURT that the Clerk of this Court, pursuant to 28 United States Code, section 671(b), shall furnish bond with good and sufficient surety, or sureties, to be approved by this Court, in the amount of $100,000 in favor of the United States of America and/or the United States of America, for the benefit of the litigants in the Supreme Court of the United States and of all others, as their interests may appear, conditioned for the faithful and seasonable discharge of the duties of his office including the recording of the decrees, judgments and determinations of the Supreme Court of the United States and, also, that he shall well and truly perform the services for which moneys by law or under the rules of the Court are advanced or paid to him, and shall truly and faithfully account for such moneys thus advanced or paid, and for any excess thereof after services are rendered, and also for all other moneys received by him as such Clerk of the Supreme Court of the United States, in accordance with law or the orders of this Court;

"AND IT IS FURTHER ORDERED that the bond required by this order, when approved, as provided herein, shall be filed in the Department of Justice pursuant to law."

Per Mr. Chief Justice Vinson.

ORDER

"IT IS ORDERED BY THIS COURT that the Marshal of this Court shall furnish bond with good and sufficient surety, or sureties, to be approved by this Court, in the amount of $20,000 in favor of the United States of America, conditioned for the faithful discharge of the duties of his office and, also, that he shall well and faithfully keep, disburse, pay over, and account for, according to law, the moneys that may come into his hands as such Marshal of the Supreme Court of the United States;

"AND IT IS FURTHER ORDERED that the bond required by this order, when approved, as provided herein, shall be deposited with the Clerk of this Court for safekeeping."

Per Mr. Chief Justice Vinson.

ORDER

"IT IS ORDERED BY THIS COURT that the Librarian of this Court, pursuant to 28 United States Code, section 674(d), shall furnish bond with good and sufficient surety, or sureties, to be approved by this Court, in the amount of $10,000 in favor of the United States of America and/or the Marshal of the Supreme Court of the United States, conditioned for the faithful performance of her duties as such Librarian, including the certification for payment by the Marshal of this Court of vouchers covering expenses incurred and purchases made by her in her official capacity;

"IT IS FURTHER ORDERED that the Associate Librarian of this Court shall furnish bond with good and sufficient surety, or sureties, to be approved by this Court, in the amount of $5,000 in favor of the United States of America and/or the Marshal of the Supreme Court of the United States conditioned in all respects like the bond required to be furnished by the Librarian of this Court by this order;

"AND IT IS FURTHER ORDERED that the bonds required by this order, when approved, as provided herein, shall be deposited with the Clerk of this Court for safekeeping."

Per Mr. Chief Justice Vinson.

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The United States of America, Appellant, vs. Samuel P. Waters. Appeal from the United States District Court for the District of Columbia.

422

IT APPEARING to the Court that the Solicitor General of the United States has filed a motion to dismiss the appeal in this case,

THEREFORE, pursuant to said motion, it is ordered by this Court that the appeal herein be, and it is hereby, dismissed.

Per Mr. Chief Justice Vinson.

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Proclamation being made the Court is adjourned until Monday, December 6, next, at 12 o'clock.

THURSDAY, DECEMBER 2, 1948.

PRESENT:

The Honorable Fred M. Vinson, Chief Justice,
Hugo L. Black,
Stanley Reed,
Felix Frankfurter,
William O. Douglas, Associate Justices.
Robert H. Jackson,
Wiley Rutledge,
Harold H. Burton.

Reginald J. Wheeler,

Petitioner,

vs.

Curtis Reid, Superintendent.

On petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit.

244, Misc.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the District of Columbia Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

The motion for reconsideration of the order denying stay of execution is also denied.

Per Mr. Chief Justice Vinson.

MONDAY, DECEMBER 6, 1948.

Pursuant to adjournment the Court met at the Supreme Court Building.

PRESENT:

The Honorable Fred M. Vinson, Chief Justice,
Hugo L. Black,
Stanley Reed,
Felix Frankfurter,
William O. Douglas,
Frank Murphy,
Robert H. Jackson,
Wiley Rutledge,
Harold H. Burton. Associate Justices.

Thomas Ennalls Waggaman, Esquire, Marshal,
Charles Elmore Cropley, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Solicitor General Philip B. Perlman, It is ordered that James G. Crichton, Esquire, of Fresno, State of California; Ralph Clinton Dills, Esquire, of Compton, State of California; and Ruth Lovett Davis, of Dallas, State of Texas, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly. (Mrs.)

On motion first made to the Court in this behalf by Mr. William A. Sutherland, It is ordered that Geo. E. Applebaum, Esquire, of Pittsburgh, Commonwealth of Pennsylvania, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Robt. B. Jacoby, It is ordered that Louise M. Sackmann, of Cincinnati, State of Ohio, be admitted to practice as an Attorney and Counsellor of this Court, and she was sworn accordingly. (Miss)

On motion first made to the Court in this behalf by Mr. William M. Arnold, It is ordered that Harry Abrahams, Esquire, of Chicago, State of Illinois, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Will Shafroth, It is ordered that Montgomery Dorsey, Esquire, of Denver, State of Colorado, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Isadore Topper, It is ordered that John Caren, Esquire, of Columbus, State of Ohio, and R. Brooke Alloway, Esquire, of Columbus, State of Ohio, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Ralph M. Carson, It is ordered that James V. Lione, Esquire, of New York, State of New York, and J. Roger Carroll, Esquire, of New York, State of New York, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Isidore H. Watchtel, It is ordered that Irving T. Bergman, Esquire, of New York, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Frederick Bernays Wiener, It is ordered that Leland B. Groezinger, Esquire, of San Francisco, State of California, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Reuben B. Resnik, It is ordered that Leona H. Resnik, of Washington, District of Columbia, be admitted to practice as an Attorney and Counsellor of this Court, and she was sworn accordingly. (Mrs.)

On motion first made to the Court in this behalf by Mr. William J. Hotz, It is ordered that William J. Hotz, Jr., Esquire, of Omaha, State of Nebraska, and William F. Dalton, Esquire, of Omaha, State of Nebraska, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Dennis McCarthy, It is ordered that A. H. Nebeker, Esquire, of Salt Lake City, State of Utah, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Theodore Granik, It is ordered that Albert A. Carretta, Esquire, of Arlington, Commonwealth of Virginia, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Eugene E. Ditto, It is ordered that Emmet W. Gottenberg, Esquire, of San Jose, State of California, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Milton V. Freeman, It is ordered that R. Dean Moorhead, Esquire, of Austin, State of Texas, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Charles Sylvanus Rhyne, It is ordered that Ernest E. Winters, Esquire, of Huntington, State of West Virginia; C. Norman Cornwall, Esquire, of Las Vegas, State of Nevada; Eugene H. Widman, Esquire, of Belleville, State of Illinois; Sydney Lawrence Harvey, Esquire, of Des Moines, State of Iowa; Herbert Paul Schendel, Esquire, of Wyandotte, State of Michigan; Barnett I. Shur, Esquire, of Portland, State of Maine; John C. Banks, Esquire, of Grand Junction, State of Colorado; J. Glenn Donaldson, Esquire, of Denver, State of Colorado; Henry C. Gill, Esquire, of Brockton, Commonwealth of Massachusetts; Samuel C. Alessi, Esquire, of Jamestown, State of New York; Claude V. Jones, Esquire, of Durham, State of North Carolina; Morris William Weiner, Esquire, of New York, State of New York; Bernhardt G. Zeiher, Esquire, of Sandusky, State of Ohio; Henry G. McCall, Esquire, of New Orleans, State of Louisiana; Benjamin S. Adamowski, Esquire, of Chicago, State of Illinois; Richard J. Carpenter, Esquire, of Berkeley, State of California; Emmett A. Tompkins, Esquire, of Alhambra, State of California; John H. Galloway, Jr., Esquire, of Yonkers, State of New York; Royal M. Sorenson, Esquire, of Santa Monica, State of California; and Everett M. Glenn, Esquire, of Sacramento, State of

California, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

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Vermilya-Brown Company, Inc., Necaro Company, Inc., et al.,

Petitioners,

22 vs.

John Joseph Connell, Eugene T. Fitzpatrick, William L. Flanagan, et al.

On writ of certiorari to the United States Court of Appeals for the Second Circuit.

THIS CAUSE came on to be heard on the transcript of the record from the United States Court of Appeals for the Second Circuit, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is now here ordered and adjudged by this Court that the judgment of the said United States Court of Appeals, in this cause, be, and the same is hereby, affirmed with costs; and that this cause be, and the same is hereby, remanded to the United States District Court for the Southern District of New York.

Per Mr. Justice Reed.

Dissenting opinion by Mr. Justice Jackson in which the Chief Justice, Mr. Justice Frankfurter, and Mr. Justice Burton join.

The Chief Justice announced the following orders of the Court:

Koki Hirota,

Petitioner,

239, Misc. vs.

General of the Army Douglas MacArthur, et al.;

Kenji Dohihara,

Petitioner,

240, Misc. vs.

General of the Army Douglas MacArthur, et al.; and

Koichi Kido, et al.,

Petitioners,

248, Misc. vs.

General of the Army Douglas MacArthur, et al.

On motions for leave to file petitions for writs of habeas corpus.

The Court desires to hear argument upon the questions presented by the motions for leave to file petitions for writs of habeas corpus. Action upon the motions for leave to file will be withheld meanwhile, and the motions are set down for oral argument on Thursday, December 16, 1948.

Per Mr. Chief Justice Vinson.

The Chief Justice, Mr. Justice Reed, Mr. Justice Frankfurter, and Mr. Justice Burton are of the opinion that there is want of jurisdiction. U. S. Constitution, Article III, Sec. 2, Clause 2.

Mr. Justice Jackson has filed a memorandum stating his views.

Shulim Wixman, Also Known as Samuel Morris Wixman,

Petitioner,

263 vs.

The United States of America.

Order allowing certiorari.

The petition herein for a writ of certiorari to the United States Court of Appeals for the Ninth Circuit is granted.

And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

Shulim Wixman, Also Known as Samuel Morris Wixman,

Petitioner,

263 vs.

The United States of America.

On writ of certiorari to the United States Court of Appeals for the Ninth Circuit.

THIS CAUSE came on to be heard on the transcript of the record from the United States Court of Appeals for the Ninth Circuit, and was duly submitted.

ON CONSIDERATION WHEREOF, It is ordered and adjudged by this Court that the judgment of the said Court of Appeals, in this cause, be, and the same is hereby, reversed for the reason that there is insufficient evidence in the record to support it.

IT IS FURTHER ORDERED that the judgment of the United States District Court for the Southern District of California be, and it is hereby, vacated; and that this cause be, and it is hereby, remanded to the said District Court for further proceedings.

Per Mr. Chief Justice Vinson.

Bethlehem Steel Company,
Appellant,
369 vs.
Arthur J. Moores.

Appeal from the Supreme Judicial Court and the Superior Court of the County of Suffolk, Commonwealth of Massachusetts.

THIS CAUSE came on to be heard on the transcript of the record from the Superior Court of the County of Suffolk, Commonwealth of Massachusetts, and was duly submitted.

ON CONSIDERATION WHEREOF, It is now here ordered and adjudged by this Court that the judgment of the Superior Court on the rescript from the Supreme Judicial Court be, and the same is hereby, affirmed with costs.

Per Mr. Chief Justice Vinson.

Harry J. Wisner,
Appellant,
393 vs.
Kathleene Kaminski, a. k. a. Catherine Miller Wisner Kaminski.

Appeal from the Supreme Court of the State of Ohio.

THIS CAUSE came on to be heard on the transcript of the record from the Supreme Court of the State of Ohio, and on motion to dismiss or affirm, which was duly submitted.

ON CONSIDERATION WHEREOF, It is now here ordered by this Court that the motion to dismiss the appeal herein be, and the same is hereby, granted.

IT IS FURTHER ORDERED that the appeal herein be, and the same is hereby, dismissed for the want of a substantial federal question.

Per Mr. Chief Justice Vinson.

Brady Transfer and Storage Company, et al.,

Appellants,

397 vs.

The United States of America, Interstate Commerce Commission, et al.

Appeal from the United States District Court for the Southern District of Iowa.

THIS CAUSE came on to be heard on the transcript of the record from the United States District Court for the Southern District of Iowa, and on motion to affirm, which was duly submitted.

ON CONSIDERATION WHEREOF, It is now here ordered by this Court that the motion to affirm the decree, in this cause, be, and the same is hereby, granted.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that the decree of the District Court in this cause, be, and the same is hereby, affirmed.

Per Mr. Chief Justice Vinson.

Dan Leroy Hall,

Appellant,

400 vs.

Commonwealth of Virginia.

Appeal from the Supreme Court of Appeals of the Commonwealth of Virginia.

THIS CAUSE came on to be heard on the transcript of the record from the Supreme Court of Appeals of the Commonwealth of Virginia, and on motion to dismiss or affirm, which was duly submitted.

ON CONSIDERATION WHEREOF, It is now here ordered by this Court that the motion to dismiss the appeal herein be, and the same is hereby, granted.

IT IS FURTHER ORDERED that the appeal herein be, and it is hereby, dismissed.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas and Mr. Justice Murphy are of the opinion that probable jurisdiction should be noted.

The Chief Justice said:

"The other orders of the Court appear upon the list certified by the Chief Justice and filed with the Clerk and will not be announced orally."

The State of Illinois,

Complainant,

9, Original vs.

The State of Indiana, et al.

ON CONSIDERATION of the motion for leave to withdraw the appearance of C. Henry Austin as counsel for defendant, Standard Oil Company,

IT IS ORDERED by this Court that the said motion be, and it is hereby, granted.

Per Mr. Chief Justice Vinson.

The United States of America,

Petitioner,

13 vs.

Fred Urbuteit, Claimant of 16 Articles of Device, More or Less, Labeled "Sinuothermic," etc.

ORDER

The notation of dissent from the opinion of the Court in this case announced November 22, 1948, is amended to read as follows:

"Mr. Justice Black, Mr. Justice Frankfurter, Mr. Justice Murphy, and Mr. Justice Jackson dissent for the reasons stated in their dissent in Kordel v. United States, No. 30, decided this day, although this case arises under the limitation of § 304(a), 'while in interstate commerce,' which has a different scope from § 301(k), while 'held for sale after shipment in interstate commerce.'"

Per Mr. Chief Justice Vinson.

United States of America, ex rel. Harold E. Hirshberg,

Petitioner,

231 vs.

Captain M. J. Malanaphy, United States Navy, etc.

ON CONSIDERATION of the motion of the Solicitor General of the United States to substitute Captain William R. Cooke, Jr., as the party respondent herein in place of Captain M. J. Malanaphy,

IT IS ORDERED that Captain William R. Cooke, Jr., be, and he is hereby, substituted as the party respondent herein and that the cause be so continued and maintained.

Per Mr. Chief Justice Vinson.

The United States of America,

Appellant,

416 vs.

Wallace & Tiernan Company, Inc., et al.

The statement of jurisdiction in this case having been submitted and considered by the Court, further consideration of the question of the jurisdiction of this Court and of the motion to dismiss is postponed to the hearing of the case on the merits.

Per Mr. Chief Justice Vinson.

George Smith, Order allowing certiorari.

Petitioner,

292 vs.

The United States of America.

The petition herein for a writ of certiorari to the United States Court of Appeals for the Second Circuit is granted.

And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

The United States, Order allowing certiorari.

Petitioner,

299 vs.

Gerlach Live Stock Company.

The petition herein for a writ of certiorari to the Court of Claims is granted. And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

The United States, Order allowing certiorari.

Petitioner,

300 vs.

J. Sheldon Potter.

The petition herein for a writ of certiorari to the Court of Claims is granted. And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

The United States, Order allowing certiorari.

Petitioner,

301 vs.

Martin Erreca.

The petition herein for a writ of certiorari to the Court of Claims is granted. And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

The United States, Order allowing certiorari.

Petitioner,

302 vs.

James J. Stevinson (a Corporation)

The petition herein for a writ of certiorari to the Court of Claims is granted. And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

The United States, Order allowing certiorari.

Petitioner,

303 vs.

Archibald J. Stevinson.

The petition herein for a writ of certiorari to the Court of Claims is granted. And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

The United States, Order allowing certiorari.

Petitioner,

304 vs.

3-H Securities Company.

The petition herein for a writ of certiorari to the Court of Claims is granted. And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

Commissioner of Internal Revenue, Order allowing certiorari.

Petitioner,

313 vs.

W. O. Culbertson, Sr. and Gladys Culbertson.

The petition herein for a writ of certiorari to the United States Court of Appeals for the Fifth Circuit is granted.

And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

The People of the State of California, Order allowing certiorari.

Petitioner,

355 vs.

Berl B. Zook and Wilmer K. Craig.

The petition herein for a writ of certiorari to the Superior Court of Los Angeles County, Appellate Department, State of California, is granted.

And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

The United States,

Petitioner,

135 vs.

William V. Griffin and Hugh William Purvis, Receivers for Georgia & Florida Railroad.

ON CONSIDERATION of the motion of the Solicitor General of the United States for substitution of the party respondent in this case,

IT IS ORDERED by this Court that Alfred W. Jones, sole successive Receiver of the Georgia & Florida Railroad, be, and he is hereby, substituted as the party respondent herein and that the case be so continued and maintained.

Per Mr. Chief Justice Vinson.

The United States, Order allowing certiorari.

Petitioner,

135 vs.

Alfred W. Jones, Receiver for Georgia & Florida Railroad.

The petition herein for a writ of certiorari to the Court of Claims is granted. And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

Alfred W. Jones, Receiver for Georgia & Florida Railroad, Order allowing certiorari.

Petitioner,

198 vs.

The United States.

The petition herein for a writ of certiorari to the Court of Claims is granted. And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

Transcontinental & Western Air, Inc., Order allowing certiorari.

Petitioner,

387 vs.

Civil Aeronautics Board.

The petition herein for a writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit is granted.

And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

Mr. Justice Reed took no part in the consideration or decision of this application.

James Washington, On petition for writ of certiorari

Petitioner, to the Supreme Court of the State

193 vs. of Arkansas.

State of Arkansas.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of Arkansas, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Hugh Henderson, Individually and By J. Willard Gragg, His Next Friend,

Petitioner,

218 vs.

Shell Oil Company, Inc., et al.

On petition for writ of certiorari to the Supreme Court of the State of Texas.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of Texas, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Martin Erreca, and Bernard F. Gavin and George D. Coleman, Administrators of the Estate of Thomas J. Gavin, Deceased,

Petitioners,

238 vs.

The United States.

On petition for writ of certiorari to The Court of Claims.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Court of Claims and of the argument of counsel thereupon had, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Albert J. Deeb,

Petitioner,

294 vs.

The United States of America.

On petition for writ of certiorari to the United States Court of Appeals for the Second Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Second Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Charles C. Diggs,
Petitioner,
295 vs.
The People of the State of Michigan.

On petition for writ of certiorari to the Supreme Court of the State of Michigan.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of Michigan, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

The United States,
Petitioner,
332 vs.
Edmond Pfotzer and E. John Pfotzer, Co-Partners.

On petition for writ of certiorari to The Court of Claims.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Court of Claims and of the argument of counsel thereupon had, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Joseph Martinelli & Co., Inc.,
Petitioner,
335 vs.
L. Gillarde Company.

On petition for writ of certiorari to the United States Court of Appeals for the First Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the First Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

United Shoe Machinery Corporation,

Petitioner,

343 vs.

Jacob S. Kamborian and International Shoe Machine Corporation.

On petition for writ of certiorari to the United States Court of Appeals for the First Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the First Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Roy R. Rainey,

Petitioner,

347 vs.

A. R. Cartlidge, et al.

On petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Fifth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Kent Food Corp., and Clark-Iger Food Products Co., Inc.,

Petitioners,

352 vs.

The United States of America.

On petition for writ of certiorari to the United States Court of Appeals for the Second Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Second Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Kent Food Corp., and Clark-Iger Food Products Co., Inc.,

Petitioners,

353 vs.

The United States of America.

On petition for writ of certiorari to the United States Court of Appeals for the Second Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Second Circuit; it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

The Century Indemnity Company,

Petitioner,

356 vs.

Richard L. Rosenbaum, Trustee in Bankruptcy for Ultimite Corporation, Bankrupt, et al.

On petition for writ of certiorari to the United States Court of Appeals for the Second Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Second Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

William H. Delozier,

Petitioner,

359 vs.

Guy A. Thompson, Trustee for Missouri Pacific Railway Company, et al.

On petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Eighth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Walter Pliss and Helen Pliss,
Petitioners,
364 vs.
Tighe E. Woods, Acting Housing Expeditor, Office of Housing Expeditor, For and On Behalf of the United States.

On petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Seventh Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

W. C. Jarrett, L. DeVries, W. E. Jocelyn, et al.,
Petitioners,
367 vs.
Norfolk Redevelopment and Housing Authority, a Corporation, Also Known as Norfolk Housing Authority.

On petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Fourth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Hilda Ogden Bratt, Barbara Ann Bratt, a Minor By Her Guardian ad litem Hilda Ogden Bratt,
Petitioners,
368 vs.
Western Air Lines, Inc.

On petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Tenth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Watchtower Bible and Tract Society, Inc., et al.,

Petitioners,

187 vs.

Metropolitan Life Insurance Company.

On petition for writ of certiorari to the Supreme Court of the State of New York, New York County.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of New York, New York County, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas and Mr. Justice Murphy are of opinion the petition should be granted.

Hans Ludwig Benzian,

Petitioner,

317 vs.

Saul Godwin, Chairman, and Irving J. Hess, et al.

On petition for writ of certiorari to the United States Court of Appeals for the Second Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Second Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Jackson took no part in the consideration or decision of this application.

Joseph Battaglia and others,

Petitioners,

320 vs.

General Motors Corporation;

Frank Holland, et al.,

Petitioners,

321 vs.

General Motors Corporation;

William S. Hilger, et al.,

Petitioners,

322 vs.

General Motors Corporation; and

Walter J. Casheba, etc.,

Petitioner,

323 vs.

General Motors Corporation.

ON CONSIDERATION of the motion for leave to file brief of Charles J. Margiotti as amicus curiae in these cases,

IT IS ORDERED by this Court that the said motion be, and it is hereby, granted.

Per Mr. Chief Justice Vinson.

Joseph G. Battaglia, et al., Petitioners, 320 vs. General Motors Corporation.

On petition for writ of certiorari to the United States Court of Appeals for the Second Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Second Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Frank Holland, et al., etc., Petitioners, 321 vs. General Motors Corporation.

On petition for writ of certiorari to the United States Court of Appeals for the Second Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Second Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

William S. Hilger, et al.,
Petitioners,
322 vs.
General Motors Corporation.

On petition for writ of certiorari to the United States Court of Appeals for the Second Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Second Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Walter J. Casheba, etc.,
Petitioner,
323 vs.
General Motors Corporation.

On petition for writ of certiorari to the United States Court of Appeals for the Second Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Second Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Ernest Woodmansee,
Petitioner,
331 vs.
The People of the State of California.

ON CONSIDERATION of the motion to proceed on a partial record in this case,

IT IS ORDERED by this Court that the said motion be, and it is hereby, granted.

Per Mr. Chief Justice Vinson.

Ernest Woodmansee,

Petitioner,

331 vs.

The People of the State of California.

On petition for writ of certiorari to the Supreme Court of the State of California.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of California, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

George C. Adcock, et al., Individually and On Behalf of Other Citizens Duly Registered and Qualified as Voters of Alabama, Similarly Situated,

Petitioners,

434 vs.

Robert B. Albritton, et al.

On petition for writ of certiorari to the Supreme Court of the State of Alabama.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of Alabama, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Black took no part in the consideration or decision of this application.

W. R. Kelley,

Petitioner,

211 vs.

Union Tank and Supply Company.

ON CONSIDERATION of the motion for leave to file a petition for rehearing in this case,

IT IS ORDERED by this Court that the said motion be, and it is hereby, denied.

Per Mr. Chief Justice Vinson.

Lewis L. Strauss,

Petitioner,

288 vs.

Commissioner of Internal Revenue.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

G. W. McLaurin,

Petitioner,

154, Misc. vs.

Honorable Alfred P. Murrah, et al.

ON CONSIDERATION of the motion for leave to withdraw the petition for writ of mandamus in this cause,

IT IS ORDERED by this Court that the said motion be, and it is hereby, granted and the clerk is authorized to return the record to the District Court.

Per Mr. Chief Justice Vinson.

George C. Adcock, et al.,

Petitioners,

231, Misc. vs.

Robert B. Albritton, et al., etc.

ON CONSIDERATION of the motion for leave to file a petition for writs of injunction and mandamus herein,

IT IS ORDERED by this Court that the said motion be, and it is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Black took no part in the consideration or decision of this application.

James E. Folsom, etc., et al.,

Petitioners,

246, Misc. vs.

Robert B. Albritton, et al.

ON CONSIDERATION of the motion for leave to file petition for injunction or other extraordinary relief in this case,

IT IS ORDERED by this Court that the said motion be, and it is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Black took no part in the consideration or decision of this application.

Al Trahan,

Petitioner,

134, Misc. vs.

State of Louisiana.

On petition for writ of certiorari to the Supreme Court of the State of Louisiana.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of Louisiana, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

James Butler,

Petitioner,

170, Misc. vs.

Walter Nierstheimer, Warden.

On petition for writ of certiorari to the Circuit Court of Hancock County of the State of Illinois.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Circuit Court of Hancock County of the State of Illinois, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Wardell Murphy,

Petitioner,

176, Misc. vs.

Joseph E. Ragen, Warden.

On petition for writ of certiorari to the Criminal Court of Cook County of the State of Illinois.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Criminal Court of Cook County of the State of Illinois, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Luhemitt White,

Petitioner,

198, Misc. vs.

Walter Nierstheimer, Warden.

On petition for writ of certiorari to the City Court of the City of East St. Louis of the State of Illinois.

ON CONSIDERATION of the petition for a writ of certiorari herein to the City Court of the City of East St. Louis of the State of Illinois, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Harris Bailey,

Petitioner,

199, Misc. vs.

Walter Nierstheimer, Warden.

On petition for writ of certiorari to the Circuit Court of Randolph County of the State of Illinois.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Circuit Court of Randolph County of the State of Illinois, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

William Sellers,

Petitioner,

200, Misc. vs.

Joseph E. Ragen, Warden.

On petition for writ of certiorari to the Circuit Court of Will County of the State of Illinois.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Circuit Court of Will County of the State of Illinois, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Raymond J. Hirsch,

Petitioner,

213, Misc. vs.

State of New York.

On petition for writ of certiorari to the Court of General Sessions, New York County, Part VIII, State of New York.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Court of General Sessions, New York County, Part VIII, State of New York, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Bernard M. Shotkin,

Petitioner,

214, Misc. vs.

W. F. Perkins and John Healy.

On petition for writ of certiorari to the Supreme Court of the State of Colorado.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of Colorado, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Harley New,

Petitioner,

217, Misc. vs.

Ben B. Stewart, Warden.

On petition for writ of certiorari to the Supreme Court of the State of Missouri.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of Missouri, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Bernard M. Shotkin,

Petitioner,

219, Misc. vs.

H. P. Burke, et al.

On petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Tenth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Walter Engle,

Petitioner,

212, Misc. vs.

Ben B. Stewart, Warden.

ON CONSIDERATION of the motion for leave to file a petition for writ of habeas corpus herein,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

In the Matter of John Trant,

Petitioner.

225, Misc.

ON CONSIDERATION of the motion for leave to file a petition for writ of habeas corpus herein,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Robert G. Schuman,

Petitioner,

230, Misc. vs.

Robert A. Heinze, Warden.

ON CONSIDERATION of the motion for leave to file a petition for writ of habeas corpus herein,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

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Railway Express Agency, Inc., Charles Gerchario, Michael Long, et al.,

Appellants,

51 vs.

People of the State of New York.

Argued by Mr. Ralph M. Carson for the appellants, and by Mr. Stanley Buchsbaum for the appellee.

Clyde Wilkerson,

Petitioner,

53 vs.

Wilson McCarthy and Henry Swan, as Trustees of the Denver and Rio Grande Western Railroad Company.

Argued by Mr. Parnell Black for the petitioner, and by Mr. Dennis McCarthy for the respondents.

Howard F. Coray, Ancillary Administrator
of the Estate of William Frank Lucas,
Deceased,

Petitioner,

54 vs.

Southern Pacific Company.

Argument commenced by Mr. Parnell Black for the petitioner.

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Proclamation being made the Court is adjourned until tomorrow at 12 o'clock.

Pursuant to adjournment the Court met at the Supreme Court Building.

PRESENT:

The Honorable Fred M. Vinson, Chief Justice,
Hugo L. Black,
Stanley Reed,
Felix Frankfurter,
William O. Douglas, Associate Justices.
Frank Murphy,
Robert H. Jackson,
Harold H. Burton.
Thomas Ennalls Waggaman, Esquire, Marshal,
Charles Elmore Cropley, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Will Shafroth, It is ordered that Walter E. Hoffman, Esquire, of Norfolk, Commonwealth of Virginia, and Edw. L. Breeden, Jr., Esquire, of Norfolk, Commonwealth of Virginia, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. William Wallace Cochran, It is ordered that David Elmer Hartshorn, Esquire, of Washington, District of Columbia, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Solomon Dimond, It is ordered that Henry S. Waldman, Esquire, of Elizabeth, State of New Jersey, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Arthur C. Perry, It is ordered that William Arley Bunnell, Esquire, of Dallas, State of Texas, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Newell A. Clapp, It is ordered that John Ewing Smith, Esquire, of Bellefontaine, State of Ohio, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Ivar H. Peterson, It is ordered that Wm. L. Branch, Esquire, of Denver, State of Colorado, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. John E. McClure, It is ordered that Charles A. Thomas, Esquire, of Chicago, State of Illinois, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

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Howard P. Coray, Ancillary Administrator
of the Estate of William Frank Lucas,
Deceased,

Petitioner,

54 vs.

Southern Pacific Company.

Argument continued by Mr. Parnell Black for the petitioner; by Mr. A. H. Nebeker for the respondent, and concluded by Mr. Parnell Black for the petitioner.

Richard P. Lawson, as Deputy Commissioner,
Sixth Compensation District, United States
Employees' Compensation Commission,

Petitioner,

56 vs.

Suwannee Fruit & Steamship Company, a
Corporation, et al.

Argued by Mr. Newell A. Clapp for the petitioner, and by Mr. Harry T. Gray for the respondents.

Kimball Laundry Company,

Petitioner,

63 vs.

The United States of America.

Argument commenced by Mr. William J. Hotz for the petitioner.

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Proclamation being made the Court is adjourned until tomorrow at 12 o'clock.

WEDNESDAY, DECEMBER 8, 1948.

Pursuant to adjournment the Court met at the Supreme Court Building.

PRESENT:

The Honorable Fred M. Vinson, Chief Justice,
Hugo L. Black,
Stanley Reed,
Felix Frankfurter,
William O. Douglas, Associate Justices.
Frank Murphy,
Robert H. Jackson,
Wiley Rutledge,
Harold H. Burton.

Thomas Ennalls Waggaman, Esquire, Marshal,
Charles Elmore Cropley, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. William K. Tell, It is ordered that August F. W. Siebel, Esquire, of Chicago, State of Illinois, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

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Kimball Laundry Company,

Petitioner,

63 vs.

The United States of America.

Argument continued by Mr. Assistant Solicitor General Washington for the respondent, and concluded by Mr. William J. Hotz for the petitioner.

Chicago, Milwaukee, St. Paul and Pacific Railroad Company, et al.,

Petitioners,

65 vs.

Acme Fast Freight, Inc.

Argued by Mr. Joseph Walker and Mr. Rowland L. Davis, Jr., for the petitioners, and by Mr. Paul A. Crouch for the respondent.

Carl Aldo Marzani,

Petitioner,

59 vs.

The United States of America.

Argument commenced by Mr. Allan R. Rosenberg for the petitioner.

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Reginald J. Wheeler and Jesse James Patton,

Petitioners,

258, Misc. vs.

Curtis Reid, Superintendent, Washington Asylum and Jail.

ON MOTION for leave to file petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit.

ON CONSIDERATION of the motion for leave to file a petition for writ of certiorari herein, it is ordered by this Court that the said motion be, and it is hereby, denied.

Per Mr. Chief Justice Vinson.

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Proclamation being made the Court is adjourned until tomorrow at 12 o'clock.

THURSDAY, DECEMBER 9, 1948.

Pursuant to adjournment the Court met at the Supreme Court Building.

PRESENT:

The Honorable Fred M. Vinson, Chief Justice,
Hugo L. Black,
Stanley Reed,
Felix Frankfurter,
William O. Douglas,
Frank Murphy,
Robert H. Jackson,
Wiley Rutledge,
Harold H. Burton. Associate Justices.
Thomas Ennalls Waggaman, Esquire, Marshal,
Charles Elmore Cropley, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Charles J. Zinn, It is ordered that Edward T. Welch, Esquire, of New York, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Charles J. Ribar, It is ordered that William B. Paul, Esquire, of Denver, State of Colorado, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. William R. Vallance, It is ordered that William Coit Allee, Esquire, of Detroit, State of Michigan, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

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Koki Hirota,

Petitioner,

239, Misc. vs.

General of the Army Douglas MacArthur, et al.;

Kenji Dohihara,

Petitioner,

240, Misc. vs.

General of the Army Douglas MacArthur, et al.; and

Koichi Kido, et al.,

Petitioners,

248, Misc. vs.

General of the Army Douglas MacArthur, et al.

ON CONSIDERATION of the motion of counsel for petitioners for a continuance of the oral argument in these cases,

IT IS ORDERED by this Court that the said motion be, and it is hereby, denied.

Per Mr. Chief Justice Vinson.

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Carl Aldo Marzani,

Petitioner,

59 vs.

The United States of America.

Argument continued by Mr. Allan R. Rosenberg and Mr. Osmond K. Fraenkel for the petitioner; by Mr. Solicitor General Perlman for the respondent, and concluded by Mr. Allan R. Rosenberg for the petitioner.

Joe J. Fisher,

Petitioner,

45 vs.

R. C. Pace, Sheriff of Jasper County, Texas.

Argued by Mr. R. Dean Moorhead for the petitioner, and case submitted by Mr. Quentin Keither for the respondent.

National Labor Relations Board,

Petitioner,

46 vs.

Stowe Spinning Company, et al.

Argument commenced by Mr. Mozart G. Ratner for the petitioner.

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Reginald J. Wheeler,

Petitioner,

260, Misc. vs.

Donald Clemmer.

ON CONSIDERATION of the motion for leave to file a petition for writ of habeas corpus herein,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, denied. The motion for stay of execution is also denied.

Per Mr. Chief Justice Vinson.

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Proclamation being made the Court is adjourned until tomorrow at 12 o'clock.

Pursuant to adjournment the Court met at the Supreme Court Building.

PRESENT:

The Honorable Fred M. Vinson, Chief Justice,
Hugo L. Black,
Stanley Reed,
Felix Frankfurter,
William O. Douglas, Associate Justices.
Frank Murphy,
Robert H. Jackson,
Wiley Rutledge,
Harold H. Burton.
Thomas Ennalls Waggaman, Esquire, Marshal,
Charles Elmore Cropley, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Lester C. Dibble, It is ordered that Lowell L. Forbes, Esquire, of Mason City, State of Iowa, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Elmore Whitehurst, It is ordered that Claude E. Hobbs, Jr., Esquire, of Washington, District of Columbia, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Brian S. Odem, It is ordered that Joseph W. Cash, Esquire, of Houston, State of Texas, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Stanley M. Silverberg, It is ordered that George Dyson Friou, Esquire, of New York, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

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National Labor Relations Board,

Petitioner,

46 vs.

Stowe Spinning Company, et al.

Argument continued by Mr. Mozart G. Ratner for the petitioner; by Mr. Paul C. Whitlock for the respondents, and concluded by Mr. Mozart G. Ratner for the petitioner.

Commissioner of Internal Revenue,

Petitioner,

83 vs.

Margaret R. Phipps.

Argued by Mr. Stanley M. Silverberg for the petitioner, and by Mr. W. Clayton Carpenter for the respondent.

Commissioner of Internal Revenue,

Petitioner,

84 vs.

Pelham G. Wodehouse.

Argument commenced by Miss Melva M. Graney for the petitioner, and continued by Mr. Watson Washburn for the respondent.

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Proclamation being made the Court is adjourned until Monday, December 13, next, at 12 o'clock.

Pursuant to adjournment the Court met at the Supreme Court Building.

PRESENT:

The Honorable Fred M. Vinson, Chief Justice,
Hugo L. Black,
Stanley Reed,
Felix Frankfurter,
William O. Douglas,
Frank Murphy,
Robert H. Jackson,
Wiley Rutledge,
Harold H. Burton,
Associate Justices.

Thomas Ennalls Waggaman, Esquire, Marshal,
Charles Elmore Cropley, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Solicitor General Philip B. Perlman, It is ordered that Joseph A. Sprankle, Jr., Esquire, of Pasadena, State of California, and Vincent B. Welch, Esquire, of Washington, District of Columbia, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. A. James Martin, It is ordered that Francis R. McGuigan, Esquire, of New York, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Samuel W. McIntosh, It is ordered that Ralph H. Clark, Esquire, of New Haven, State of Connecticut, and Samuel A. Persky, Esquire, of New Haven, State of Connecticut, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Leonard J. Calhoun, It is ordered that Ross R. Barnett, Esquire, of Jackson, State of Mississippi, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Daniel Davis Morgan, It is ordered that Thomas P. Seymour, Esquire, of New Haven, State of Connecticut, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Kenneth Douglas McKellar, It is ordered that Sam P. Walker, Esquire, of Memphis, State of Tennessee, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. William Blum, Jr., It is ordered that Herbert Sidney Burr, Esquire, of New York, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

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Earl M. McDonald and Joseph P. Washington,

Petitioners,

vs.

The United States of America.

On writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit.

36

THIS CAUSE came on to be heard on the transcript of the record from the United States Court of Appeals for the District of Columbia Circuit, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is now here ordered and adjudged by this Court that the judgment of the said United States Court of Appeals, in this cause, be, and the same is hereby, reversed; and that this cause be, and the same is hereby, remanded to the United States District Court for the District of Columbia for proceedings in conformity with the opinion of this Court.

Per Mr. Justice Douglas.

Mr. Justice Black concurs in the result.

Mr. Justice Rutledge concurs in the result and in the opinion insofar as it relates to the petitioner McDonald.

Concurring opinion by Mr. Justice Jackson. Mr. Justice Frankfurter, having joined in the Court's opinion, also concurs in the opinion of Mr. Justice Jackson.

Dissenting opinion by Mr. Justice Burton in which the Chief Justice and Mr. Justice Reed join.

Elmer Uveges,

Petitioner,

75 vs.

Commonwealth of Pennsylvania.

On writ of certiorari to the Supreme Court of the Commonwealth of Pennsylvania.

THIS CAUSE came on to be heard on the transcript of the record from the Supreme Court of the Commonwealth of Pennsylvania, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is ordered and adjudged by this Court that the order of the said Supreme Court, in this cause, be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the Supreme Court for proceedings not inconsistent with the opinion of this Court.

Per Mr. Justice Reed.

Dissenting opinion by Mr. Justice Frankfurter in which Mr. Justice Jackson and Mr. Justice Burton concur.

Andrew Upshaw,

Petitioner,

98 vs.

The United States of America.

On writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit.

THIS CAUSE came on to be heard on the transcript of the record from the United States Court of Appeals for the District of Columbia Circuit, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is now here ordered and adjudged by this Court that the judgment of the said United States Court of Appeals, in this cause, be, and the same is hereby, reversed; and that this cause be, and the same is hereby, remanded to the United States District Court for the District of Columbia for proceedings in conformity with the opinion of this Court.

Per Mr. Justice Black.

Dissenting opinion by Mr. Justice Reed in which the Chief Justice, Mr. Justice Jackson, and Mr. Justice Burton join.

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The Chief Justice announced the following orders of the Court:

Sherman R. Ring and Jack B. Brody, Individually and Partners Trading as R. & B. Truck & Parts Co.,

Appellants,

414 vs.

Mayor and Council of the Borough of North Arlington, Bergen County, New Jersey.

Appeal from the Supreme Court of the State of New Jersey.

THIS CAUSE came on to be heard on the transcript of the record from the Supreme Court of the State of New Jersey, and was duly submitted.

ON CONSIDERATION WHEREOF, It is now here ordered by this Court that the appeal herein be, and the same is hereby, dismissed for the want of a substantial federal question.

Per Mr. Chief Justice Vinson.

David Hodge and Wilbur G. Moffitte,

Appellants,

433 vs.

The Tulsa County Election Board, et al.

Appeal from the United States District Court for the Northern District of Oklahoma.

THIS CAUSE came on to be heard on the transcript of the record from the United States District Court for the Northern District of Oklahoma, and was duly submitted.

ON CONSIDERATION WHEREOF, It is now here ordered and adjudged by this Court that the judgment of the said District Court, in this cause, be, and the same is hereby, vacated without costs to either party; and that this cause be, and the same is hereby, remanded to the said District Court with directions to dismiss the cause as moot.

Per Mr. Chief Justice Vinson.

Mrs. Vera Roberts,

Petitioner,

86, Misc. vs.

The Memphis Street Railway Company.

On petition for writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, granted.

Per Mr. Chief Justice Vinson.

Mrs. Vera Roberts,

Petitioner,

86, Misc. vs.

The Memphis Street Railway Company.

On writ of certiorari to the United States Court of Appeals for the Sixth Circuit.

THIS CAUSE came on to be heard on the transcript of the record from the United States Court of Appeals for the Sixth Circuit, and was duly submitted.

ON CONSIDERATION WHEREOF, It is now here ordered and adjudged by this Court that the order of the said United States Court of Appeals, in this cause, be, and the same is hereby, vacated; and that this cause be, and the same is hereby, remanded to the said Court of Appeals for further consideration in the light of the opinion of this Court in Adkins v. DuPont, No. 1, Misc., decided November 22, 1948.

Per Mr. Chief Justice Vinson.

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The Chief Justice said:

"The other orders of the Court appear upon the list certified by the Chief Justice and filed with the Clerk and will not be announced orally."

Edward Gibbs,

Petitioner,

418 vs.

C. J. Burke, Warden, Eastern State Penitentiary, Philadelphia, Pennsylvania.

It is ordered that Frederick Bernays Wiener, Esquire, of Washington, D. C., a member of the Bar of this Court, be, and he is hereby, appointed to serve as counsel for the petitioner in this case.

Per Mr. Chief Justice Vinson.

Arthur Terminiello, Order allowing certiorari.

Petitioner,

272 vs.

City of Chicago.

The petition herein for a writ of certiorari to the Supreme Court of the State of Illinois is granted.

And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

City of Morgantown, West Virginia, a Municipal Corporation, Order allowing certiorari.

Petitioner,

396 vs.

Royal Insurance Company, Limited.

The petition herein for a writ of certiorari to the United States Court of Appeals for the Fourth Circuit is granted.

And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

Samuel Taylor,

Petitioner,

121, Misc. vs.

Tennyson Dennis, Warden.

On motion for leave to file petition for writ of certiorari.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the motion for leave to file petition for writ of certiorari, it is ordered by this Court that the said motions be, and they are hereby, granted.

THE PETITION FOR CERTIORARI is also granted and the case is transferred to the summary docket.

IT IS FURTHER ORDERED that the duly certified copy of the transcript of the proceedings below which accompanied the motion and petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

Morris W. Mamlin and Ralph E. Walker,

Petitioners,

242 vs.

The United States.

On petition for writ of certiorari to The Court of Claims.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Court of Claims and of the argument of counsel thereupon had, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Southwestern Greyhound Lines, Inc., Mid-Continent Coaches, Inc., and Southwestern Motor Carriers Corporation d/b/a Southwestern Trailways,

Petitioners,

370 vs.

Leo F. King.

On petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Tenth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

John Kivo, et al., Individually and as Partners Doing Business Under the Firm Name and Style of John Kivo & Co.,

Petitioners,

371 vs.

Fred Loeb.

On petition for writ of certiorari to the United States Court of Appeals for the Second Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Second Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

LeRoy J. Leishman,

Petitioner,

372 vs.

Radio Condenser Company and General Instrument Corporation.

On petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Ninth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

George Whitney,

Petitioner,

373 vs.

Commissioner of Internal Revenue.

On petition for writ of certiorari to the United States Court of Appeals for the Second Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Second Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Henry C. Alexander,

Petitioner,

374 vs.

Commissioner of Internal Revenue.

On petition for writ of certiorari to the United States Court of Appeals for the Second Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Second Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Arthur M. Anderson, et al.,

Petitioners,

375 vs.

Commissioner of Internal Revenue.

On petition for writ of certiorari to the United States Court of Appeals for the Second Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Second Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

I. C. Raymond Atkin, et al.,

Petitioners,

376 vs.

Commissioner of Internal Revenue.

On petition for writ of certiorari to the United States Court of Appeals for the Second Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Second Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Henry P. Davison,
Petitioner,
377 vs.
Commissioner of Internal Revenue.

On petition for writ of certiorari to the United States Court of Appeals for the Second Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Second Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Charles D. Dickey, et al.,
Petitioners,
378 vs.
Commissioner of Internal Revenue.

On petition for writ of certiorari to the United States Court of Appeals for the Second Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Second Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Thomas S. Lamont,
Petitioner,
379 vs.
Commissioner of Internal Revenue.

On petition for writ of certiorari to the United States Court of Appeals for the Second Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Second Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Estate of Thomas W. Lamont, Deceased, Florence C. Lamont, et al., Executors, Petitioners,

380 vs.

Commissioner of Internal Revenue.

On petition for writ of certiorari to the United States Court of Appeals for the Second Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Second Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

R. C. Leffingwell, et al., Petitioners,

381 vs.

Commissioner of Internal Revenue.

On petition for writ of certiorari to the United States Court of Appeals for the Second Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Second Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

William A. Mitchell, Petitioner,

382 vs.

Commissioner of Internal Revenue.

On petition for writ of certiorari to the United States Court of Appeals for the Second Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Second Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Estate of J. P. Morgan, Deceased, Junius S. Morgan, et al., Executors,
Petitioners,
383 vs.
Commissioner of Internal Revenue.

On petition for writ of certiorari to the United States Court of Appeals for the Second Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Second Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Junius S. Morgan, et al.,
Petitioners,
384 vs.
Commissioner of Internal Revenue.

On petition for writ of certiorari to the United States Court of Appeals for the Second Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Second Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Estate of Frances D. Bartow, Deceased, J. P. Morgan & Co., Incorporated, Executor, et al.,
Petitioners,
385 vs.
Commissioner of Internal Revenue.

On petition for writ of certiorari to the United States Court of Appeals for the Second Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Second Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Filben Manufacturing Company, Inc., Bernice M. Filben, Patricia A. Filben, et al.,

Petitioners,

394 vs.

Rock-Ola Manufacturing Corporation of Delaware, et al.

On petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Eighth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Treasure Company and Samarkand Oil Company,

Petitioners,

398 vs.

The United States of America, For the Use of Reconstruction Finance Corporation, etc.

On petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Ninth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Harry J. Alker, Jr., and Mamie DuBan, Individually and as Executrix of the Estate of Alfred A. DuBan,

Petitioners,

697 O. T. '47 vs.

Federal Deposit Insurance Corporation.

ON CONSIDERATION of the motion for leave to file a fourth petition for rehearing in this case,

IT IS ORDERED by this Court that the said motion be, and it is hereby, denied.

Per Mr. Chief Justice Vinson.

O. V. Kessler,

Petitioner,

344 vs.

Thos. F. McGlone, Jr., Executor, et al.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Roy Eaton,

Petitioner,

42, Misc. vs.

Joseph E. Ragen, Warden.

A second petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

William Henry Roberts,

Petitioner,

73, Misc. vs.

People of the State of California.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Edward Smith,

Petitioner,

155, Misc. vs.

Ralph Howard, Warden.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

James May,

Petitioner,

172, Misc. vs.

Joseph E. Ragen, Warden.

On petition for writ of certiorari to the Criminal Court of Cook County of the State of Illinois.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Criminal Court of Cook County of the State of Illinois, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

James Jackson,

Petitioner,

177, Misc. vs.

People of the State of Illinois.

On petition for writ of certiorari to the Criminal Court of Cook County of the State of Illinois.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Criminal Court of Cook County of the State of Illinois, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Wentworth Crombie,

Petitioner,

204, Misc. vs.

Walter Nierstheimer, Warden.

On petition for writ of certiorari to the Criminal Court of Cook County of the State of Illinois.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Criminal Court of Cook County of the State of Illinois, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Huston Collins,

Petitioner,

207, Misc. vs.

Circuit Court of Will County, Illinois, et al.

On petition for writ of certiorari to the Circuit Court of Will County and the Criminal Court of Cook County, State of Illinois.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Circuit Court of Will County and the Criminal Court of Cook County, State of Illinois, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

William Bates,

Petitioner,

208, Misc. vs.

Joseph E. Ragen, Warden.

On petition for writ of certiorari to the Criminal Court of Cook County of the State of Illinois.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Criminal Court of Cook County of the State of Illinois, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

John F. McNaughton,

Petitioner,

209, Misc. vs.

Joseph E. Ragen, Warden.

On petition for writ of certiorari to the Criminal Court of Cook County of the State of Illinois.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Criminal Court of Cook County of the State of Illinois, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Jack Lane,

Petitioner,

210, Misc. vs.

State of Illinois.

On petition for writ of certiorari to the Criminal Court of Cook County of the State of Illinois.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Criminal Court of Cook County of the State of Illinois, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

George McKay,

Petitioner,

215, Misc. vs.

A. C. Aderhold, et al., Wardens.

On petition for writ of certiorari to the Supreme Court of the State of Georgia.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of Georgia, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

John D. Cundiff,

Petitioner,

216, Misc. vs.

Walter Miersheimer, Warden.

On petition for writ of certiorari to the Circuit Court of Sangamon County of the State of Illinois.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Circuit Court of Sangamon County of the State of Illinois, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Edward W. Cunningham,

Petitioner,

220, Misc. vs.

Joseph E. Ragen, Warden.

On petition for writ of certiorari to the Circuit Court of Will County of the State of Illinois.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Circuit Court of Will County of the State of Illinois, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Stephen Jo Nichols,

Petitioner,

222, Misc. vs.

Joseph E. Ragen, Warden.

On petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Seventh Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

John O. Story,

Petitioner,

223, Misc. vs.

Clarence P. Burford, Warden.

On petition for writ of certiorari to the District Court of Bryan County of the State of Oklahoma.

ON CONSIDERATION of the petition for a writ of certiorari herein to the District Court of Bryan County of the State of Oklahoma, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Edward H. Gould,

Petitioner,

224, Misc. vs.

People of the State of New York.

On petition for writ of certiorari to the Supreme Court of the State of New York, First Department.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of New York, First Department, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Harry Lee Baldridge,

Petitioner,

243, Misc. vs.

Joseph E. Ragen, Warden.

On petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Seventh Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Lee Waterman,

Petitioner,

178, Misc. vs.

Fred C. Sanborn, Acting Warden.

ON CONSIDERATION of the motion for leave to file a petition for writ of habeas corpus herein,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Louis Burrall,

Petitioner,

226, Misc. vs.

E. B. Swope, Warden.

ON CONSIDERATION of the motion for leave to file a petition for writ of habeas corpus herein,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Edward Bautz,

Petitioner,

228, Misc. vs.

Joseph E. Ragen, Warden.

ON CONSIDERATION of the motion for leave to file a petition for writ of habeas corpus herein,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Emanuel Cannady,

Petitioner,

236, Misc. vs.

Joseph E. Ragen, Warden.

ON CONSIDERATION of the motion for leave to file a petition for writ of habeas corpus herein,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

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The Court will take a recess from Monday, December 20, until Monday, January 3, 1949.

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Commissioner of Internal Revenue,

Petitioner,

84 vs.

Pelham G. Wodehouse.

Argument continued by Mr. Watson Washburn for the respondent, and concluded by Miss Melva M. Graney for the petitioner.

Nathan D. Leiman and Samuel Marion,

Petitioners,

88 vs.

Alexander Guttman, George Geller and Arthur Bainton, etc., et al.

Argued by Mr. Samuel Marion for the petitioners, and by Mr. Barney Rosenstein and Mr. Leo Praeger for the respondents.

H. P. Hood & Sons, Inc.,

Petitioner,

92 vs.

C. Chester DuMond, Commissioner of Agriculture and Markets of the State of New York.

Argument commenced by Mr. Warren F. Farr for the petitioner.

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Proclamation being made the Court is adjourned until tomorrow at 12 o'clock.

Pursuant to adjournment the Court met at the Supreme Court Building.

PRESENT:

The Honorable Fred M. Vinson, Chief Justice,
Hugo L. Black,
Stanley Reed,
Felix Frankfurter,
William O. Douglas,
Robert H. Jackson,
Wiley Rutledge,
Harold H. Burton. Associate Justices.
Thomas Ennalls Waggaman, Esquire, Marshal,
Charles Elmore Cropley, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Jerome Harvey Simonds, It is ordered that Chester Arthur Lessler, Esquire, of New York, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Caesar L. Aiello, It is ordered that Joseph T. Mullray, Esquire, of Media, Commonwealth of Pennsylvania, and Edwin E. Lippincott, II, Esquire, of Media, Commonwealth of Pennsylvania, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Seymour S. Guthman, It is ordered that Bernard B. Wolfe, Esquire, of Chicago, State of Illinois, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Walton H. Hamilton, It is ordered that Carlos D. Vazquez, Esquire, of San Juan, Puerto Rico, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. B. Nelson Deranian, It is ordered that Marshall Woolery, Esquire, of Bedford, State of Indiana, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

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H. P. Hood & Sons, Inc.,

Petitioner,

92 vs.

C. Chester DuMond, Commissioner of Agriculture and Markets of the State of New York.

Argument concluded by Mr. Warren F. Farr for the petitioner, and case submitted by Mr. Nathaniel L. Goldstein, Mr. Wendell P. Brown, and Mr. Robert G. Blabey for the respondent.

Lipe Henslee, Individually, Now Residing in Davidson County, Tennessee, Collector of Internal Revenue, District of Tennessee,

Petitioner,

90 vs.

Union Planters Bank & Trust Company, a National Bank at Memphis, Tennessee, et al.

Argued by Mr. Arnold Raum for the petitioner, and by Mr. Sam Polk Walker for the respondent.

Hermoine P. Rice,

Petitioner,

117 vs.

Lillian P. Rice.

Argued by Mr. Daniel D. Morgan for the petitioner, and by Mr. Samuel A. Persky and Mr. Ralph H. Clark for the respondent.

William R. McComb, Administrator of the
Wage and Hour Division, United States
Department of Labor,

Petitioner,

110 vs.

Jacksonville Paper Company, et al.

Argument commenced by Miss Bessie Margolin for the petitioner.

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Proclamation being made the Court is adjourned until tomorrow at 12 o'clock.

WEDNESDAY, DECEMBER 15, 1948.

Pursuant to adjournment the Court met at the Supreme Court Building.

PRESENT:

The Honorable Fred M. Vinson, Chief Justice,
Hugo L. Black,
Stanley Reed,
Felix Frankfurter,
William O. Douglas,
Robert H. Jackson,
Wiley Rutledge,
Harold H. Burton. Associate Justices.

Thomas Ennalls Waggaman, Esquire, Marshal,

Charles Elmore Cropley, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Howard Nelson Moore, It is ordered that William D. Hall, Esquire, of Elkins, State of West Virginia, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

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William R. McComb, Administrator of the Wage and Hour Division, United States Department of Labor,

Petitioner,

110 vs.

Jacksonville Paper Company, et al.

Argument continued by Miss Bessie Margolin for the petitioner; by Mr. Louis Kurz for the respondents, and concluded by Miss Bessie Margolin for the petitioner.

Foley Bros., Inc., and Spencer, White & Prentis, Inc.,

Petitioners,

91 vs.

Frank Paul Filardo.

Argued by Mr. Robert L. Stern for the petitioners, and by Mr. Chester A. Lessler for the respondent.

Baxter Griffin,

Petitioner,

417 vs.

The United States of America.

Argument commenced by Mr. Francis J. Kelly for the petitioner.

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Proclamation being made the Court is adjourned until tomorrow at 12 o'clock.

THURSDAY, DECEMBER 16, 1948.

Pursuant to adjournment the Court met at the Supreme Court Building.

PRESENT:

The Honorable Fred M. Vinson, Chief Justice,
Hugo L. Black,
Stanley Reed,
Felix Frankfurter,
William O. Douglas,
Frank Murphy, Associate Justices.
Robert H. Jackson,
Wiley Rutledge,
Harold H. Burton.
Thomas Ennalls Waggaman, Esquire, Marshal,
Charles Elmore Cropley, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Solicitor General Philip B. Perlman, It is ordered that Joseph Edward Smith, Esquire, of Oakland, State of California, and M. Mitchell Bourquin, Esquire, of San Francisco, State of California, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Nicholas J. Chase, It is ordered that L. J. Cushman, Esquire, of Miami, State of Florida, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. H. G. Hedrick, It is ordered that Warren W. Martin, Esquire, of Evansville, State of Indiana, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. L. Welch Pogue, It is ordered that James Lewis McCarrey, Jr., Esquire, of Anchorage, Territory of Alaska, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. H. Russell Bishop, It is ordered that Barak Thomas Mattingly, Esquire, of Saint Louis, State of Missouri, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. George Yamaoka, It is ordered that William Logan, Jr., Esquire, of New York, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Bernard C. Brannon, It is ordered that John G. Brannon, Esquire, of Kansas City, State of Missouri, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

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Baxter Griffin,

Petitioner,

417 vs.

The United States of America.

Argument continued by Mr. Francis J. Kelly for the petitioner, by Mr. Charles B. Murray for the respondent, and concluded by Mr. Francis J. Kelly for the petitioner.

The Farmers Reservoir and Irrigation Company,

Petitioner,

128 vs.

William R. McComb, Administrator of the Wage and Hour Division of the United States Department of Labor; and

William R. McComb, Administrator of the Wage and Hour Division of the United States Department of Labor,

Petitioner,

196 vs.

The Farmers Reservoir and Irrigation Company.

Argued by Mr. John P. Akolt and Mr. Frank N. Bancroft for the Farmers Reservoir and Irrigation Company, and by Mr. Jeter S. Ray for William R. McComb, etc.

Koki Hirota,

Petitioner,

239, Misc. vs.

General of the Army Douglas MacArthur, et al.;

Kenji Dohihara,

Petitioner,

240, Misc. vs.

General of the Army Douglas MacArthur, et al.; and

Koichi Kido, et al.,

Petitioners,

248, Misc. vs.

General of the Army Douglas MacArthur, et al.

Five hours allowed for oral argument. Argument on the motion for leave to file petitions for writs of habeas corpus commenced by Mr. William Logan, Jr., for the petitioners.

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Proclamation being made the Court is adjourned until tomorrow at 12 o'clock.

Pursuant to adjournment the Court met at the Supreme Court Building.

PRESENT:

The Honorable Fred M. Vinson, Chief Justice,
Hugo L. Black,
Stanley Reed,
Felix Frankfurter,
William O. Douglas,
Frank Murphy,
Robert H. Jackson,
Wiley Rutledge,
Harold H. Burton,
Associate Justices.

Thomas Ennalls Waggaman, Esquire, Marshal,

Charles Elmore Cropley, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Richard A. Mahar, It is ordered that Thomas Mason, Esquire, of Chicago, State of Illinois, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Joe T. Keating, It is ordered that Edward J. Taggart, Esquire, of Washington, District of Columbia, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. J. Frank Staley, It is ordered that Lee C. Hinslea, Esquire, of Cleveland, State of Ohio, and Lucian Y. Ray, Esquire, of Cleveland, State of Ohio, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Louis P. Frick, It is ordered that Thomas J. Murray, Esquire, of San Francisco, State of California, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Winthrop A. Johns, It is ordered that Louis S. Belkin, Esquire, of Cleveland, State of Ohio, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

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Koki Hirota,

Petitioner,

239, Misc. vs.

General of the Army Douglas MacArthur, et al.;

Kenji Dohihara,

Petitioner,

240, Misc. vs.

General of the Army Douglas MacArthur, et al.; and

Koichi Kido, et al.,

Petitioners,

248, Misc. vs.

General of the Army Douglas MacArthur, et al.

Argument on the motion for leave to file petitions for writs of habeas corpus continued by Mr. William Logan, Jr., for the petitioners; by Mr. David F. Smith for the petitioners in Nos. 239, Misc. and 240, Misc.; by Mr. John G. Brannon for the petitioners in No. 248, Misc.; by Mr. George A. Furness for the petitioners, pro hac vice, by special leave of Court on motion of Mr. George Yamaoka in that behalf; by Mr. Solicitor General Perlman for the respondents, and concluded by Mr. George Yamaoka for the petitioners.

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Proclamation being made the Court is adjourned until Monday, December 20, next, at 12 o'clock.

Pursuant to adjournment the Court met at the Supreme Court Building.

PRESENT:

The Honorable Fred M. Vinson, Chief Justice,
Hugo L. Black,
Stanley Reed,
Felix Frankfurter,
William O. Douglas,
Frank Murphy,
Robert H. Jackson,
Wiley Rutledge,
Harold H. Burton,
Associate Justices.

Thomas Ennalls Waggaman, Esquire, Marshal,

Charles Elmore Cropley, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Solicitor General Philip B. Perlman, It is ordered that W. C. Meekins, Esquire, of Asheville, State of North Carolina; James Bascomb Smathers, Esquire, of Asheville, State of North Carolina; R. Hoyle Smathers, Esquire, of Charlotte, State of North Carolina; Lewis B. Carpenter, Esquire, of Charlotte, State of North Carolina; and James C. Smathers, Esquire, of Charlotte, State of North Carolina, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. John L. McClellan, It is ordered that Nathan L. Schoenfeld, Esquire, of Hot Springs, State of Arkansas, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Samuel Frederick Placer, It is ordered that Abraham B. Fischer, Esquire, of Brooklyn, State of New York, and Martin Jarvis Sand, Esquire, of New York, State of New York, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Clarence F. Lea, It is ordered that John Harold Swan, Esquire, of Sacramento, State of California, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Ellsworth H. Mosher, It is ordered that Myron J. Burkhard, Esquire, of New York, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Vernon Harden Doane, It is ordered that Gerald H. Peterson, Esquire, of Beverly Hills, State of California, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Ralph S. Boyd, It is ordered that John T. Keefe, Esquire, of New Brunswick, State of New Jersey; Philip Blacher, Esquire, of New Brunswick, State of New Jersey; and Wm. J. Harding, Esquire, of New Brunswick, State of New Jersey, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

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Robert Frazier, Petitioner, vs. The United States of America. 44

On writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit.

THIS CAUSE came on to be heard on the transcript of the record from the United States Court of Appeals for the District of Columbia Circuit, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is now here ordered and adjudged by this Court that the judgment of the said United States Circuit Court of Appeals, in this cause, be, and the same is hereby, affirmed; and that this cause be, and the same is hereby, remanded to the United States District Court for the District of Columbia.

Per Mr. Justice Rutledge.

Dissenting opinion by Mr. Justice Jackson in which Mr. Justice Frankfurter, Mr. Justice Douglas

Solomon Michelson, Petitioner, vs. The United States of America.

On writ of certiorari to the United States Court of Appeals for the Second Circuit.

23

THIS CAUSE came on to be heard on the transcript of the record from the United States Court of Appeals for the Second Circuit, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is now here ordered and adjudged by this Court that the judgment of the said United States Court of Appeals, in this cause, be, and the same is hereby, affirmed; and that this cause be, and the same is hereby, remanded to the United States District Court for the Eastern District of New York.

Per Mr. Justice Jackson.

Concurring opinion by Mr. Justice Frankfurter.

Dissenting opinion by Mr. Justice Rutledge in which Mr. Justice Murphy joins.

Valentine Goesaert, Margaret Goesaert, Gertrude Nadroski and Caroline McMahon, Appellants, vs. Owen J. Cleary, Felix H. H. Flynn and G. Mennon Williams, Members of the Liquor Control Commission of the State of Michigan.

Appeal from the United States District Court for the Eastern District of Michigan.

49

THIS CAUSE came on to be heard on the transcript of the record from the United States District Court for the Eastern District of Michigan, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is now here ordered, adjudged, and decreed by this Court that the decree of the said District Court, in this cause, be, and the same is hereby, affirmed with costs.

Per Mr. Justice Frankfurter.

Dissenting opinion by Mr. Justice Rutledge in which Mr. Justice Douglas and Mr. Justice Murphy join.

Koki Hirota,

Petitioner,

239, Misc. vs.

General of the Army Douglas MacArthur, et al.;

On motions for leave to file petitions for writs of habeas corpus.

Kenji Dohihara,

Petitioner,

240, Misc. vs.

General of the Army Douglas MacArthur, et al.; and

Koichi Kido, et al.,

Petitioners,

248, Misc. vs.

General of the Army Douglas MacArthur, et al.

These causes came on to be heard on motions for leave to file petitions for writs of habeas corpus and were argued by counsel.

On consideration whereof, it is ordered by this Court that the motions for leave to file be, and they are hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas concurs in the result for reasons to be stated in an opinion.

Mr. Justice Murphy dissents.

Mr. Justice Rutledge reserves decision and the announcement of his vote until a later time.

Mr. Justice Jackson took no part in the final decision of these motions.

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The Chief Justice announced the following order of the Court:

Carl Aldo Marzani, Petitioner, vs. The United States of America.

On writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit.

59

THIS CAUSE came on to be heard on the transcript of the record from the United States Court of Appeals for the District of Columbia Circuit, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is now here ordered and adjudged by this Court that the judgment of the said United States Circuit Court of Appeals, in this cause, be, and the same is hereby, affirmed by an equally divided Court; and that this cause be, and the same is hereby, remanded to the United States District Court for the District of Columbia.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this case.

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The Chief Justice said:

"The other orders of the Court appear upon the list certified by the Chief Justice and filed with the Clerk and will not be announced orally."

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An order is entered approving the bond of the Clerk of this Court and directing that it be recorded.

ORDER

IT IS ORDERED that the bond of the Clerk of this Court, executed by him and the Aetna Casualty and Surety Company, dated December 16, 1948, furnished by the Clerk pursuant to Title 28, United States Code, section 671(b), in the amount of $100,000, as fixed by the Order of this Court of November 22, 1948, entered pursuant to that provision of law, be, and it hereby is, approved;

AND IT IS FURTHER ORDERED that the bond so given by the Clerk and approved herein shall be recorded on the Minutes of the Court and, when so recorded, shall be filed in the Department of Justice for safekeeping in accordance with law.

Per Mr. Chief Justice Vinson.

Which said bond is in the words and figures, viz:

THE AETNA CASUALTY AND SURETY COMPANY
Hartford, Connecticut
SUPREME COURT OF THE UNITED STATES

KNOW ALL MEN BY THESE PRESENTS, That we, CHARLES ELMORE CROPLEY, Clerk of the Supreme Court of the United States, as principal, and THE AETNA CASUALTY AND SURETY COMPANY, Hartford, Connecticut, as Surety, are held and firmly bound unto the United States of America and/or the United States of America, for the benefit of the litigants in the Supreme Court of the United States and of all others, as their interests may appear, in the penal sum of ONE HUNDRED THOUSAND ($100,000.00) Dollars, lawful money of the United States, to be paid to the United States for the benefit of the said litigants and of all others, as their interests may appear, for which payments, well and truly to be made, we bind ourselves, our and each of our heirs, executors, administrators and assigns, jointly and severally, firmly by these presents.

SEALED with our seals, and dated this 16th day of December, 1948.

NOW, THEREFORE, the condition of this bond is such that if the said CHARLES ELMORE CROPLEY, Clerk as aforesaid, shall faithfully and reasonably discharge the duties of his office including the recording of the decrees, judgments and determinations of the Supreme Court of the United States, and he shall well and truly perform the services for which moneys by law or under the rules of the Court are advanced or paid to him, and shall truly and faithfully account for such moneys thus advanced or paid, and for any excess thereof after services are rendered, and also for all other moneys received by him as such Clerk of the Supreme Court of the United States, in accordance with the law or the orders of this Court, then this obligation to be void; otherwise to remain in full force and virtue in law.

WITNESSES:

/s/ Ruth A. Hamilton

/s/ E. P. Cullinan

/s/ Ruth E. Mattison

/s/ Anna M. Updyke

/s/ Charles Elmore Cropley
Charles Elmore Cropley

THE AETNA CASUALTY AND SURETY COMPANY

By /s/ Eugene Fields
Eugene Fields, Attorney-in-Fact.

Approved December 18th, 1948, by order of the Court.

/s/ Fred M. Vinson
Chief Justice of the United States
Supreme Court

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The United States of America,

Complainant,

10, Original vs.

The State of Wyoming and the Ohio Oil Company.

FINAL ORDER

Pursuant to the decision of this Court in United States v. Wyoming, et al., 331 U. S. 440, a decree was entered on February 16, 1948, 333 U. S. 834.

By the terms of the decree, which adjudged that title to the land in question is in the United States, jurisdiction was retained by this Court for the purpose of determining the amount of damages payable by defendants to the plaintiff, and for such other and further orders and decrees as may be necessary.

On July 2, 1948, Public Law 887 (Chapter 815, 80th Congress, 2d Session) was approved, and provided:

> "That the Secretary of the Interior be, and he is hereby authorized and directed to issue a patent to the State of Wyoming for the east half of the northeast quarter, section 36, township 58 north, range 100 west, of the sixth principal meridian, in Park County, Wyoming, subject to any existing lease or leases; Provided: That title to said land shall be held and considered to have been vested in the State of Wyoming on July 10, 1890."

On September 29, 1948, the Secretary of the Interior, pursuant to the authorization and direction contained in the aforesaid Act of Congress, issued United States Patent No. 1123916 to the State of Wyoming for the portion of Section 36 described in said Act, subject to any existing lease or leases, with the title thereto considered to have vested in the State of Wyoming on July 10, 1890.

The claim for damages arose entirely from the possession by the defendant Ohio Oil Company of the land described in said Act of Congress, and its extraction of oil therefrom. Inasmuch as the patent issued by the United States vests title to said land in the State of Wyoming during the entire period of possession by the defendant Ohio Oil Company, there is no need or requirement for further consideration by the Court of plaintiff's demand for a money judgment.

It is therefore ORDERED AND DECREED that the defendants shall pay the costs of this proceeding, including compensation for services rendered and actual expenses incurred by the Honorable Nat U. Brown, Special Master herein. Such compensation and expenses will be fixed by an order of the Court..

The United States of America,

Complainant,

10, Original vs.

State of Wyoming and Ohio Oil Company.

ORDER

On consideration of the statement of time employed by the Special Master in this case,

It is ordered by this Court that Nat U. Brown, Esquire, be, and he is hereby, awarded the sum of $10,000.00 as compensation for his services as Special Master in this case.

It is further ordered that expenses amounting to $51.54, incurred since the report of the Special Master dated April 19, 1948, be, and they are hereby, allowed.

Per Mr. Chief Justice Vinson.

The United States of America,

Complainant,

12, Original vs.

The State of California.

ON CONSIDERATION of the motion of the complainant for clarification of the scope of inquiry referred to the Special Master in this case,

IT IS ORDERED BY THIS COURT that the said motion be, and it is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Jackson took no part in the consideration or decision of this application.

Ex parte Joseph Collett,

206, Misc. Petitioner.

This case is assigned for hearing on the motion for leave to file petition for writs of mandamus and prohibition and the case is transferred to the summary docket.

Per Mr. Chief Justice Vinson.

Jessie A. Kilpatrick,

Petitioner,

233, Misc. vs.

The Texas & Pacific Railway Co.

This case is assigned for hearing on the motion for leave to file petition for writ of mandamus or certiorari and the case is transferred to the summary docket.

Per Mr. Chief Justice Vinson.

The United States of America,

Petitioner,

269, Misc. vs.

National City Lines, Inc., et al.

This case is assigned for hearing on the motion for leave to file petition for writ of certiorari and the case is transferred to the summary docket.

Per Mr. Chief Justice Vinson.

Oklahoma Tax Commission,

Petitioner,

40 vs.

The Texas Company; and

Oklahoma Tax Commission,

Petitioner,

41 vs.

Magnolia Petroleum Company.

ON CONSIDERATION of the motion for leave to file rejoinder brief of respondents in these cases,

IT IS ORDERED by this Court that the said motion be, and it is hereby, denied.

IT IS ALSO ordered that the motion for leave to file brief of R. O. Mason and Hayes McCoy as amici curiae in case No. 40, be, and it is hereby, denied.

Per Mr. Chief Justice Vinson.

Master Metal Strip Service, Inc., and Martin J. Gossen,

Petitioners,

361 vs.

Protex Weatherstrip Mfg. Co., a Co-partnership Consisting of John W. Moustakas, etc., et al.

On petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Seventh Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Irving J. McCoy,

Petitioner,

392 vs.

The United States of America.

On petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Ninth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

City Bank Farmers Trust Company, as Ancillary Executor of the Last Will and Testament of Edwin Prestage, Deceased, etc.,

Petitioner,

401 vs.

William J. Pedrick, United States Collector of Internal Revenue for the Second District of New York.

On petition for writ of certiorari to the United States Court of Appeals for the Second Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Second Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

A. C. Widenhouse, Individually, and Trading as Carolina Oil Company,

Petitioner,

407 vs.

War Emergency Co-operative Association.

On petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Fourth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

George Abraham,

Petitioner,

408 vs.

The United States of America.

On petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Sixth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Trico Products Corporation,
Petitioner,
410 vs.
George T. McGowan, Collector of Internal Revenue for the 28th District of New York.

On petition for writ of certiorari to the United States Court of Appeals for the Second Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Second Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

William Davidson,
Petitioner,
399 vs.
People of the State of New York.

ON CONSIDERATION of the motion to dispense with the printing of the record in this case,

IT IS ORDERED by this Court that the said motion be, and it is hereby, granted.

Per Mr. Chief Justice Vinson.

William Davidson,
Petitioner,
399 vs.
People of the State of New York.

On petition for writ of certiorari to the Court of Appeals of the State of New York.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Court of Appeals of the State of New York, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Leon Josephson,

Petitioner,

535 O.T. '47 · vs.

The United States of America.

ON CONSIDERATION of the motion for leave to file a second petition for rehearing in this case,

IT IS ORDERED by this Court that the said motion be, and it is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Burton took no part in the consideration or decision of this application.

Grand River Dam Authority, a Public Corporation,

Petitioner,

6 vs.

Grand-Hydro, a Private Corporation.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Lelord Kordel,

Petitioner,

30 vs.

The United States of America.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied for the reason that it was not filed within the time provided by Rule 33.

Per Mr. Chief Justice Vinson.

Gilbert E. Thiel,

Petitioner,

148, Misc. vs.

Southern Pacific Company.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Stanley Pryor,

Petitioner,

164, Misc. vs.

People of the State of California.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mabel Monroe Bonds,

Petitioner,

187, Misc. vs.

Sherbourne Mercantile Company and Hugh Black.

On petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Ninth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Luther L. Anderson,

Petitioner,

232, Misc. vs.

State of Missouri.

On petition for writ of certiorari to the Supreme Court of the State of Missouri.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of Missouri, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Carlos Rodriquez,

Petitioner,

241, Misc. vs.

People of the State of New York.

On petition for writ of certiorari to the Court of Appeals of the State of New York.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Court of Appeals of the State of New York, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Herman Frederick Weber,

Petitioner,

268, Misc. vs.

Joseph E. Ragen, Warden.

On petition for writ of certiorari to the Circuit Court of Peoria County of the State of Illinois.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Circuit Court of Peoria County of the State of Illinois, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Herman Frederick Weber,

Petitioner,

No. ____ vs.

People of the State of Illinois.

ON CONSIDERATION of the motion for stay of execution in this case,

IT IS ORDERED by this Court that the said motion be, and it is hereby, denied.

Per Mr. Chief Justice Vinson.

Sherman Williams,

Petitioner,

237, Misc. vs.

United Mine Workers of America.

ON CONSIDERATION of the motion for leave to file petition for writ of certiorari in this case,

IT IS ORDERED by this Court that the said motion be, and it is hereby, denied.

Per Mr. Chief Justice Vinson.

Frank A. Russo,

Petitioner,

238, Misc. vs.

E. E. Thompson, Warden.

ON CONSIDERATION of the motion for leave to file a petition for writ of habeas corpus herein,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

William Fraser,

Petitioner,

242, Misc. vs.

The United States of America.

ON CONSIDERATION of the motion for leave to file a petition for writ of habeas corpus herein,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Heitaro Kimura, Akira Muto, Mamoru
Shigemitsu, and Yoshijiro Umezu,

Petitioners,

267, Misc. vs.

General of the Army Douglas MacArthur, et al.

The motions are denied. See the opinion announced today in Hirota, et al. vs. MacArthur, et al., Nos. 239, 240, and 248, Misc.

Per Mr. Chief Justice Vinson.

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Proclamation being made the Court is adjourned until Monday, January 3, next, at 12 o'clock.

WEDNESDAY, DECEMBER 29, 1948.

PRESENT: The Honorable Fred M. Vinson, Chief Justice,
Hugo L. Black,
Felix Frankfurter,
William O. Douglas,
Robert H. Jackson,
Wiley Rutledge,
Harold H. Burton.
Associate Justices.

Robert F. Mehaffey,
Petitioner,
vs.
People of the State of California.

On petition for writ of certiorari to the Supreme Court of the State of California.

290, Misc.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of California, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

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Pursuant to adjournment the Court met at the Supreme Court Building.

PRESENT:

The Honorable Fred M. Vinson, Chief Justice,
Hugo L. Black,
Stanley Reed,
Felix Frankfurter,
William O. Douglas, Associate Justices.
Robert H. Jackson,
Wiley Rutledge,
Harold H. Burton.
Thomas Ennalls Waggaman, Esquire, Marshal,
Charles Elmore Cropley, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Louis G. Greenfield, It is ordered that A. Albert Luongo, Esquire, of New York, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Albert L. Reeves, Jr., It is ordered that Lyman J. Bishop, Sr., Esquire, of Belton, State of Missouri, and Guy W. Green, Esquire, of Kansas City, State of Missouri, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Owen W. Swecker, It is ordered that J. Harrison Miller, Esquire, of Pittsburgh, Commonwealth of Pennsylvania, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Frank Donner, It is ordered that Victor Rabinowitz, Esquire, of New York, State of New York, and Leonard B. Boudin, Esquire, of New York, State of New York, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Charles Sylvanus Rhyne, It is ordered that Seymour B. Quel, Esquire, of New York, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Lucien Hilmer, It is ordered that Sydney W. Cable, Esquire, of New York, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Robert L. Stern, It is ordered that Maurice M. Bernstein, Esquire, of Newark, State of New Jersey, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

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Ayrshire Collieries Corporation, Big Ben Collieries, Inc., Birch Creek Coal Company, Inc., et al.,

Appellants,

vs.

The United States of America, Interstate Commerce Commission, et al.

Appeal from the United States District Court for the Southern District of Indiana.

25

THIS CAUSE came on to be heard on the transcript of the record from the United States District Court for the Southern District of Indiana, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is ordered, adjudged, and decreed by this Court that the decree of the said District Court in this cause be, and the same is hereby, affirmed.

Per Mr. Justice Douglas.

Thoger Gronberg Jungersen,

Petitioner,

7 vs.

Ostby and Barton Company and American Associates, Inc.

On writ of certiorari to the United States Court of Appeals for the Third Circuit.

THIS CAUSE came on to be heard on the transcript of the record from the United States Court of Appeals for the Third Circuit, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is now here ordered and adjudged by this Court that the judgment of the said United States Court of Appeals, in this cause, be, and the same is hereby, affirmed with costs; and that this cause be, and the same is hereby, remanded to the United States District Court for the District of New Jersey.

Per Mr. Justice Reed.

Dissenting opinion by Mr. Justice Frankfurter in which Mr. Justice Burton joins.

Dissenting opinion by Mr. Justice Jackson.

Ostby and Barton Company and American Associates, Inc.,

Petitioners,

8 vs.

Thoger Gronberg Jungersen.

On writ of certiorari to the United States Court of Appeals for the Third Circuit.

THIS CAUSE came on to be heard on the transcript of the record from the United States Court of Appeals for the Third Circuit, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is now here ordered and adjudged by this Court that the judgment of the said United States Court of Appeals, in this cause, be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the United States District Court for the District of New Jersey for proceedings in conformity with the opinion of this Court.

Per Mr. Justice Reed.

Dissenting opinion by Mr. Justice Frankfurter in which Mr. Justice Burton joins.

Dissenting opinion by Mr. Justice Jackson.

Thoger Gronberg Jungersen,

Petitioner,

48 vs.

Robert Baden, Rose Baden, Albert Foss, et al.

On writ of certiorari to the United States Court of Appeals for the Second Circuit.

THIS CAUSE came on to be heard on the transcript of the record from the United States Court of Appeals for the Second Circuit, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is now here ordered and adjudged by this Court that the judgment of the said United States Court of Appeals, in this cause, be, and the same is hereby, affirmed with costs; and that this cause be, and the same is hereby, remanded to the United States District Court for the Southern District of New York.

Per Mr. Justice Reed.

Dissenting opinion by Mr. Justice Frankfurter in which Mr. Justice Burton joins.

Dissenting opinion by Mr. Justice Jackson.

Howard F. Coray, Ancillary Administrator of the Estate of William Frank Lucas, Deceased,

Petitioner,

54 vs.

Southern Pacific Company.

On writ of certiorari to the Supreme Court of the State of Utah.

THIS CAUSE came on to be heard on the transcript of the record from the Supreme Court of the State of Utah, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is ordered and adjudged by this Court that the judgment of the said Supreme Court, in this cause, be, and the same is hereby, reversed with costs; and that this cause, be, and the same is hereby, remanded to the said Supreme Court for further proceedings not inconsistent with the opinion of this Court.

Per Mr. Justice Black.

Lincoln Federal Labor Union #19129, American Federation of Labor, Nebraska State Federation of Labor, et al.,

Appellants,

47 vs.

Northwestern Iron and Metal Company, Dan Diebelhouse, State of Nebraska and Nebraska Small Business Men's Association.

Appeal from the Supreme Court of the State of Nebraska.

THIS CAUSE came on to be heard on the transcript of the record from the Supreme Court of the State of Nebraska, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court, in this cause, be, and the same is hereby, affirmed with costs.

Per Mr. Justice Black.

Concurring opinion by Mr. Justice Frankfurter.

Concurring opinion by Mr. Justice Rutledge in which Mr. Justice Murphy joins..

George Whitaker, A. M. Debruhl, T. G. Ember, et al.,

Appellants,

34 vs.

State of North Carolina.

Appeal from the Supreme Court of the State of North Carolina.

THIS CAUSE came on to be heard on the transcript of the record from the Supreme Court of the State of North Carolina, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is now here ordered and adjuiged by this Court that the judgmsnt of the said Supreme Court, in this cause, be, and the same is hereby, affirmed with costs.

Per Mr. Justice Black.

Concurring opinion by Mr. Justice Frankfurter.

Concurring opinion by Mr. Justice Rutledge in which Mr. Justice Murphy joins.

American Federation of Labor, Arizona State Federation of Labor, Phoenix Building and Construction Trades Council, et al.,

Appellants,

27 vs.

American Sash & Door Company, D. A. Brewer, W. B. Stevens, et al.

Appeal from the Supreme Court of the State of Arizona.

THIS CAUSE came on to be heard on the transcript of the record from the Supreme Court of the State of Arizona, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court, in this cause, be, and the same is hereby, affirmed with costs.

Per Mr. Justice Black.

Dissenting: Mr. Justice Murphy.

Concurring opinion by Mr. Justice Frankfurter.

Concurring opinion by Mr. Justice Rutledge.

Lipe Henslee, Individually, Now Residing in Davidson County, Tennessee, Collector of Internal Revenue, District of Tennessee,

Petitioner,

90 vs.

Union Planters National Bank & Trust Company, a National Bank at Memphis, Tennessee, et al., etc.

On writ of certiorari to the United States Court of Appeals for the Sixth Circuit.

THIS CAUSE came on to be heard on the transcript of the record from the United States Court of Appeals for the Sixth Circuit, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is now here ordered and adjudged by this Court that the judgment of the said United States Court of Appeals, in this cause, be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the United States District Court for the Middle District of Tennessee for proceedings in conformity with the opinion of this Court.

Per Mr. Chief Justice Vinson.

Dissenting: Mr. Justice Douglas and Mr. Justice Jackson.

Dissenting opinion by Mr. Justice Frankfurter.

The Chief Justice announced the following order of the Court:

Georgia Rail Road & Banking Company,

Appellant,

413 vs.

Downing Musgrove, Who is State Revenue Commissioner of the State of Georgia.

ON CONSIDERATION of the motion of counsel for the appellant to substitute the party appellee in this case,

IT IS ORDERED by this Court that Charles D. Redwine, present State Revenue Commissioner, be, and he is hereby, substituted as the party appellee in place and stead of Downing Musgrove, resigned.

Per Mr. Chief Justice Vinson.

Georgia Rail Road & Banking Company,

Appellant,

413 vs.

Charles D. Redwine, Who is State Revenue Commissioner of the State of Georgia.

Appeal from the Supreme Court of the State of Georgia.

THIS CAUSE came on to be heard on the transcript of the record from the Supreme Court of the State of Georgia, and on motion to dismiss or affirm, which was duly submitted.

ON CONSIDERATION WHEREOF, It is now here ordered by this Court that the motion to dismiss the appeal herein be, and the same is hereby, granted.

AND IT IS FURTHER ORDERED that the appeal herein be, and the same is hereby, dismissed for the reason that the judgment of the court below is based upon a non-federal ground adequate to support it.

Per Mr. Chief Justice Vinson.

Mr. Justice Jackson is of the opinion that probable jurisdiction should be noted.

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The Chief Justice said:

"The other orders of the Court appear upon the list certified by the Chief Justice and filed with the Clerk and will not be announced orally."

The United States of America,

Complainant,

No. __, Original vs.

The State of Texas; and

The United States of America,

Complainant,

No. __, Original vs.

The State of Louisiana.

ON CONSIDERATION of the motions of the defendants for leave to oppose the motions for leave to file complaints in these cases,

IT IS ORDERED by this Court that the said motions be, and they are hereby, granted and leave is granted to file objections, based upon jurisdictional grounds, within two weeks.

Per Mr. Chief Justice Vinson.

Wisconsin Electric Power Company,

Petitioner,

237 vs.

The United States of America.

ON CONSIDERATION of the motion of William L. Ransom for leave to appear and present oral argument in behalf of Consolidated Edison Co. of New York, as amicus curiae, within the time allotted petitioner,

IT IS ORDERED by this Court that the said motion be, and it is hereby, granted.

Per Mr. Chief Justice Vinson.

Walter C. De Frates,

Petitioner,

1116 O. T. 1946 vs.

The People of the State of Illinois.

ON CONSIDERATION of the motion of petitioner for temporary withdrawal of the record in this case,

IT IS ORDERED by this Court that the said motion be, and it is hereby, denied.

Per Mr. Chief Justice Vinson.

Wheeling Steel Corporation,

Appellant,

447 vs.

C. Emory Glander, Tax Commissioner of Ohio.

The statement of jurisdiction in this case having been submitted and considered by the Court, probable jurisdiction is noted and the case is transferred to the summary docket.

Per Mr. Chief Justice Vinson.

National Distillers Products Corporation, New York,

Appellant,

448 vs.

C. Emory Glander, Tax Commissioner of Ohio.

The statement of jurisdiction in this case having been submitted and considered by the Court, probable jurisdiction is noted and the case is transferred to the summary docket.

Per Mr. Chief Justice Vinson.

Welker B. Brooks, Order allowing certiorari.

Petitioner,

388 vs.

The United States of America.

The petition herein for a writ of certiorari to the United States Court of Appeals for the Fourth Circuit is granted.

And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

James M. Brooks, Administrator of the Estate of Arthur L. Brooks, Deceased, Order allowing certiorari.

Petitioner,

389 vs.

The United States of America.

The petition herein for a writ of certiorari to the United States Court of Appeals for the Fourth Circuit is granted.

And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

The United States of America, Order allowing certiorari.

Petitioner,

406 vs.

Harry S. Knight.

The petition herein for a writ of certiorari to the United States Court of Appeals for the Third Circuit is granted.

And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

Henry M. Propper, as Receiver of the Property and Assets Within the State of NewYork of A. K. M.,

Petitioner,

390 vs.

Tom C. Clark, Attorney General, as Successor to the Alien Property Custodian.

Order allowing certiorari.

The petition herein for a writ of certiorari to the United States Court of Appeals for the Second Circuit is granted, limited to questions 1 and 2 presented by the petition for the writ.

And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Justice Black.

The Chief Justice took no part in the consideration or decision of this application.

Frederick M. Fisch, et al.,

Petitioners,

365 vs.

General Motors Corporation.

On petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Sixth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

John D. Bateman, et al.,

Petitioners,

366 vs.

Ford Motor Company.

On petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Sixth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Consumers Company,
Petitioner,
395 vs.
Consumers Petroleum Company.

On petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Seventh Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Consumers Petroleum Company,
Petitioner,
425 vs.
Consumers Company.

On petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Seventh Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Estate of Isadore Zellerbach, Deceased, J. David Zellerbach and Harold L. Zellerbach, Executors,
Petitioner,
403 vs.
Commissioner of Internal Revenue.

On petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Ninth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

J. P. Beeler,

Petitioner,

419 vs.

The Chicago, Rock Island and Pacific Railway Company, etc.

On petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Tenth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

J. P. Beeler,

Petitioner,

420 vs.

The Chicago, Rock Island and Pacific Railway Company, etc.

On petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Tenth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

E. G. Bradham and Ruby Bradham,

Petitioners,

421 vs.

The United States of America.

On petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Tenth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Lowell Bernhardt and Nathaniel Agnew Boyd, alias Matt Boyd,

Petitioners,

423 vs.

The United States of America.

On petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Sixth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Lowell Bernhardt and Nathaniel Agnew Boyd, alias Matt Boyd,

Petitioners,

424 vs.

The United States of America.

On petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Sixth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

J. H. Allison & Company,

Petitioner,

69 vs.

National Labor Relations Board.

ON CONSIDERATION of the motion for leave to file a petition for rehearing in this case,

IT IS ORDERED by this Court that the said motion be, and it is hereby, denied.

Per Mr. Chief Justice Vinson.

Euterpe Economos,

Petitioner,

202 vs.

Commissioner of Internal Revenue.

ON CONSIDERATION of the motion for leave to file a petition for rehearing in this case,

IT IS ORDERED by this Court that the said motion be, and it is hereby, denied.

Per Mr. Chief Justice Vinson.

Charles C. Diggs,

Petitioner,

295 vs.

The People of the State of Michigan.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Nick Masich,

Appellant,

362 vs.

United States Smelting, Refining & Mining Company, et al.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Harry J. Wisner,

Appellant,

393 vs.

Kathleene Kaminski, a.k.a. Catherine Miller Wisner Kaminski.

ON CONSIDERATION of the suggestion of the death of Harry J. Wisner,

IT IS ORDERED that J. Frederick Bryan, Administrator of the estate of Harry J. Wisner, be, and he is hereby, substituted as the party appellant and that the case be so continued and maintained.

Per Mr. Chief Justice Vinson.

J. Frederick Bryan, Administrator of the Estate of Harry J. Wisner,

Appellant,

393 vs.

Kathleene Kaminski, a.k.a. Catherine Miller Wisner Kaminski.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Kenji Dohihara,

Petitioner,

240, Misc. vs.

General of the Army Douglas MacArthur, et al.; and

Koichi Kido, et al.,

Petitioners,

248, Misc. vs.

General of the Army Douglas MacArthur, et al.

A petition for rehearing having been filed in these cases,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Jackson took no part in the consideration or decision of this application.

Rubein V. Johnson,

Petitioner,

179, Misc. vs.

The United States of America.

On petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Fifth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Birlon Alphonse Clark,

Petitioner,

180, Misc. vs.

State of West Virginia.

On petition for writ of certiorari to the Supreme Court of Appeals of the State of West Virginia.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of Appeals of the State of West Virginia, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Edward A. Haley,

Petitioner,

193, Misc. vs.

Commonwealth of Pennsylvania.

On petition for writ of certiorari to the Supreme Court of the Commonwealth of Pennsylvania.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the Commonwealth of Pennsylvania, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Leon O. Ellard,

Petitioner,

194, Misc. vs.

The State of New Hampshire.

On petition for writ of certiorari to the Supreme Court of the State of New Hampshire.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of New Hampshire, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

John H. Brite and Coke T. Brite,

Petitioners,

227, Misc. vs.

Robert A. Heinze, Warden.

On petition for writ of certiorari to the Supreme Court of the State of California.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of California, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

George Foley, Petitioner, vs. Joseph E. Ragen, Warden. — On petition for writ of certiorari to the Circuit Court of Sangamon County of the State of Illinois.

251, Misc.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Circuit Court of Sangamon County of the State of Illinois, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Louis Tipescu, Petitioner, vs. State of Illinois. — On petition for writ of certiorari to the Supreme Court of the State of Illinois.

252, Misc.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of Illinois, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Arthur Edward Berry, Petitioner, vs. State of Florida. — On petition for writ of certiorari to the Supreme Court of the State of Florida.

253, Misc.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of Florida, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Robert Farmer,

Petitioner,

254, Misc. vs.

Joseph E. Ragen, Warden.

On petition for writ of certiorari to the Circuit Court of Will County of the State of Illinois.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Circuit Court of Will County of the State of Illinois, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

William Hathaway,

Petitioner,

255, Misc. vs.

Walter Mierstheimer, Warden.

On petition for writ of certiorari to the Circuit Court of Alexander County of the State of Illinois.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Circuit Court of Alexander County of the State of Illinois, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Charles Milburn,

Petitioner,

256, Misc. vs.

Walter Mierstheimer, Warden.

On petition for writ of certiorari to the Supreme Court of the State of Illinois.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of Illinois, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Frank Dzan,

Petitioner,

261, Misc. vs.

Joseph E. Ragen, Warden.

On petition for writ of certiorari to the Supreme Court of the State of Illinois.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of Illinois, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Chester Halverson,

Petitioner,

263, Misc. vs.

Joseph E. Ragen, Warden.

On petition for writ of certiorari to the Criminal Court of Cook County of the State of Illinois.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Criminal Court of Cook County of the State of Illinois, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Harold E. Green,

Petitioner,

266, Misc. vs.

Ben B. Stewart, Warden.

On petition for writ of certiorari to the Supreme Court of the State of Missouri.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of Missouri, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Edward J. Sterba, Jr.,

Petitioner,

270, Misc. vs.

Walter Nierstheimer, Warden.

On petition for writ of certiorari to the Criminal Court of Cook County of the State of Illinois.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Criminal Court of Cook County of the State of Illinois, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

John Jackson,

Petitioner,

272, Misc. vs.

State of Georgia.

On petition for writ of certiorari to the Court of Appeals of the State of Georgia.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Court of Appeals of the State of Georgia, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Gerald W. Bough,

Petitioner,

273, Misc. vs.

Walter Nierstheimer, Warden.

On petition for writ of certiorari to the Supreme Court of the State of Illinois.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of Illinois, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

N. B. Houghton,

Petitioner,

274, Misc. vs.

R. H. Hudspeth, Warden.

On petition for writ of certiorari to the Supreme Court of the State of Kansas.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of Kansas, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Leo Grant Kissinger,

Petitioner,

171, Misc. vs.

The United States of America.

ON CONSIDERATION of the motion for leave to file a petition for writ of certiorari in this case,

IT IS ORDERED by this Court that the said motion be, and it is hereby, denied.

Per Mr. Chief Justice Vinson.

De Wright Baxter,

Petitioner,

250, Misc. vs.

Joseph E. Ragen, Warden.

ON CONSIDERATION of the motion for leave to file a petition for writ of habeas corpus herein,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Jack A. Reid,

Petitioner,

264, Misc. vs.

Joseph E. Ragen, Warden.

ON CONSIDERATION of the motion for leave to file a petition for writ of habeas corpus herein,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Ex parte Louisiana Farmers Protective Union, Inc.,

279, Misc. Petitioner.

ON CONSIDERATION of the motion for rule nisi and for leave to file petition for writ of mandamus herein,

IT IS ORDERED by this Court that the said motion be, and it is hereby, denied.

Per Mr. Chief Justice Vinson.

Order promulgating regulations respecting Clerk's annual return:

ORDER

IT IS ORDERED BY THIS COURT, pursuant to Title 28, United States Code, section 671(d);

That the Clerk of this Court shall submit to this Court annually, prior to January 1st, in each regular October Term of this Court, a return fully disclosing the total amount of fees, costs and other emoluments of his office collected by him during the October Term immediately preceding the term in which each return is submitted and of any prior terms which have not been heretofore reported, and;

That the Clerk include in each annual return an itemized list of his lawful disbursements, as defined by Title 28, United States Code, section 671(c), accompanied by the original voucher of each transaction, covering the payments made during the period of time dating from the convening of the regular October Term of the Court immediately preceding the one in which each return is submitted and continuing to the date of the convening of such term in which such return is submitted;

AND IT IS FURTHER ORDERED that if and when the disbursements of the Clerk, as shown in each of his annual returns, have been allowed and approved

by the Chief Justice, pursuant to Title 28, United States Code, section 671(c), each such return and accompanying vouchers shall be ordered filed in the Office of the Chief Justice for safekeeping.

Per Mr. Chief Justice Vinson.

- - - - - - - - - - - - - -

The following order was adopted by the Supreme Court on December 27, 1948:

ORDER

ORDERED:

1. That the first sentence of Rule 37 (a)(1) of the Federal Rules of Criminal Procedure be, and it hereby is, amended to read as follows:

(1) Notice of Appeal. An appeal permitted by law from a district court to the Supreme Court or to a court of appeals is taken by filing with the clerk of the district court a notice of appeal in duplicate.

2. That the first sentence of Rule 38 (a)(3) of the Federal Rules of Criminal Procedure be, and it hereby is, amended to read as follows:

(3) Fine. A sentence to pay a fine or a fine and costs, if an appeal is taken, may be stayed by the district court or by the court of appeals upon such terms as the court deems proper.

3. That Rule 38(c) of the Federal Rules of Criminal Procedure be, and it hereby is, amended to read as follows:

(c) APPLICATION FOR RELIEF PENDING REVIEW. If application is made to a court of appeals or to a circuit judge or to a justice of the Supreme Court for bail pending appeal or for an extension of time for filing the record on appeal or for any other relief which might have been granted by the district court, the application shall be upon notice and shall show that application to the court below or a judge thereof is not practicable or that application has been made and denied, with the reasons given for the denial, or that the action on the application did not afford the relief to which the applicant considers himself to be entitled.

4. That Rule 39 (b)(2) of the Federal Rules of Criminal Procedure be, and it hereby is, amended to read as follows:

(2) Use of Typewritten Record. The court of appeals may dispense with the printing of the record on appeal and review the proceedings on the typewritten record.

5. That the foregoing amendments to the Federal Rules of Criminal Procedure shall take effect on January 1, 1949.

- - - - - - - - - - - - - -

The following order was adopted by the Supreme Court on December 27, 1948:

ORDER

ORDERED:

1. That the title of the Federal Rules of Criminal Procedure be, and it hereby is, amended to read as follows:

Rules of Criminal Procedure for the United States District Courts.

2. That Rules 17 (e)(2), 41 (b)(3), 41 (g), 54 (a)(1), 54 (b), 54 (c), 55, 56, and Rule 57 (a), of the Federal Rules of Criminal Procedure be, and they hereby are, amended as hereinafter set forth.

3. That Forms 1 to 27, inclusive, contained in the Appendix of Forms to the Federal Rules of Criminal Procedure be, and they hereby are, amended as hereinafter specified.

4. That these amendments to the Federal Rules of Criminal Procedure shall take effect on the day following the final adjournment of the first regular session of the 81st Congress.

5. That the Chief Justice be authorized to transmit these amendments to the Attorney General with the request that he report them to the Congress at the beginning of the regular session of the 81st Congress in January 1949.

SUPREME COURT OF THE UNITED STATES

OCTOBER TERM, 1948.

The following order was adopted by the Supreme Court on December 27, 1948.

ORDER

Ordered:

1. That the title of the Federal Rules of Criminal Procedure be, and it hereby is, amended to read as follows:

Rules of Criminal Procedure for the United States District Courts.

2. That Rules 17 (e) (2), 41 (b) (3), 41 (g), 54 (a) (1), 54 (b), 54 (c), 55, 56, and Rule 57 (a), of the Federal Rules of Criminal Procedure be, and they hereby are, amended as hereinafter set forth.

3. That Forms 1 to 27, inclusive, contained in the Appendix of Forms to the Federal Rules of Criminal Procedure be, and they hereby are, amended as hereinafter specified.

4. That these amendments to the Federal Rules of Criminal Procedure shall take effect on the day following the final adjournment of the first regular session of the 81st Congress.

5. That The Chief Justice be authorized to transmit these amendments to the Attorney General with the request that he report them to the Congress at the beginning of the regular session of the 81st Congress in January, 1949.

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4. That these amendments to the Fe
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of the first regular session of the 81st

5. That the Chief Justice be autho
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the Congress at the beginning of the reg
Congress in January 1949.

RULE 17 (e) (2).

(2). *Abroad.* A subpoena directed to a witness in a foreign country shall issue under the circumstances and in the manner and be served as provided in Title 28, U. S. C., § 1783.

RULE 41 (b) (3).

(3) Possessed, controlled, or designed or intended for use or which is or has been used in violation of Title 18, U. S. C., § 957.

RULE 41 (g).

(g) SCOPE AND DEFINITION. This rule does not modify any act, inconsistent with it, regulating search, seizure and the issuance and execution of search warrants in circumstances for which special provision is made. The term "property" is used in this rule to include documents, books, papers and any other tangible objects.

RULE 54 (a) (1).

(1) *Courts.* These rules apply to all criminal proceedings in the United States district courts, which include the District Court for the Territory of Alaska and the District Court of the Virgin Islands; in the United States courts of appeals; and in the Supreme Court of the United States. The rules governing proceedings after verdict or finding of guilt or plea of guilty apply in the United States District Court for the District of the Canal Zone.

RULE 54 (b).

(b) PROCEEDINGS.

(1) *Removed Proceedings.* These rules apply to criminal prosecutions removed to the United States district courts from state courts and govern all procedure after removal, except that dismissal by the

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5. That the Chief Justice be auth
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the Congress at the beginning of the re
Congress in January 1949.

attorney for the prosecution shall be
state law.

(2) *Offenses Outside a District or S*
rules apply to proceedings for offense
upon the high seas or elsewhere out
diction of any particular state or district
such proceedings may be had in any dis
ized by Title 18, U. S. C., § 3238.

(3) *Peace Bonds.* These rules do n
power of judges of the United States
States commissioners to hold to security
and for good behavior under Title 18, U.
and under Revised Statutes § 4069, 50 U
but in such cases the procedure shall conf
rules so far as they are applicable.

(4) *Trials before Commissioners.* Th
not apply to proceedings before United
missioners and in the district courts un
U. S. C., §§ 3401, 3402, relating to petty
federal reservations.

(5) *Other Proceedings.* These rules
plicable to extradition and rendition
forfeiture of property for violation of
the United States; or the collection
penalties. They do not apply to proce
Title 18, U. S. C., Chapter 403—Juv
quency—so far as they are inconsisten
Chapter. They do not apply to summa
offenses against the navigation laws un
Statutes §§ 4300–4305, 33 U. S. C. §§
to proceedings involving disputes betw
under Revised Statutes §§ 4079–4081,
22 U. S. C. §§ 256–258, or to proceeding
offenses under the Act of June 28, 193
Stat. 325–327, 16 U. S. C. §§ 772–772
ceedings against a witness in a foreign co
Title 28, U. S. C., § 1784.

RULE 54 (c).

(c) APPLICATION OF TERMS. As used in these rules the term "State" includes District of Columbia, territory and insular possession. "Law" includes statutes and judicial decisions. "Act of Congress" includes any act of Congress locally applicable to and in force in the District of Columbia, in a territory or in an insular possession. "District court" includes all district courts named in subdivision (a), paragraph (1) of this rule. "Civil action" refers to a civil action in a district court. "Oath" includes affirmations. "Attorney for the government" means the attorney general, an authorized assistant of the attorney general, a United States attorney and an authorized assistant of a United States attorney. The words "demurrer," "motion to quash," "plea in abatement," "plea in bar," and "special plea in bar," or words to the same effect, in any act of Congress shall be construed to mean the motion raising a defense or objection provided in Rule 12.

RULE 55. RECORDS.

The clerk of the district court and each United States commissioner shall keep such records in criminal proceedings as the Director of the Administrative Office of the United States Courts, with the approval of the Judicial Conference of the United States, may prescribe.

RULE 56. COURTS AND CLERKS.

The court of appeals and the district court shall be deemed always open for the purpose of filing any proper paper, of issuing and returning process and of making motions and orders. The clerk's office with the clerk or a deputy in attendance shall be open during business hours on all days except Sundays and legal holidays.

RULE 57 (a).

(a) RULES BY DISTRICT COURTS AND COURTS OF APPEALS. Rules made by district courts and courts of appeals for the conduct of criminal proceedings shall not be

The following order was adopted by the Supreme Court on December 27, 1948:

ORDER

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1. That the title of the Federal
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4. That these amendments to the
cedure shall take effect on the day fo.
of the first regular session of the 81

5. That the Chief Justice be autl
ments to the Attorney General with the
the Congress at the beginning of the r
Congress in January 1949.

inconsistent with these rules. Cop
by a district court or by a court o
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FORMS.

Forms 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26 and 27 are amended by striking out "District Court of the United States" in the caption of each form and inserting in lieu thereof "United States District Court."

Form 1 also by striking out "(18 U. S. C. §§ 452, 253)" in the caption of the form and inserting in lieu thereof "(18 U. S. C. §§ 1111, 1114)."

Form 2 also by striking out "(18 U. S. C. §§ 451, 452)" in the caption of the form and inserting in lieu thereof "(18 U. S. C. § 1111)."

Form 3 also by striking out "(Criminal Code § 215, 18 U. S. C. § 338)" in the caption of the form and inserting in lieu thereof "(18 U. S. C. § 1341)."

Form 4 also by striking out "(50 U. S. C. § 103)" in the caption of the form and inserting in lieu thereof "(18 U. S. C. § 2154)."

Form 6 also by striking out "(18 U. S. C. § 408)" in the caption of the form and inserting in lieu thereof "(18 U. S. C. § 2312)."

Form 7 also by striking out "(18 U. S. C. § 408)" in the caption of the form and inserting in lieu thereof "(18 U. S. C. § 2313)."

Form 8 also by striking out "(18 U. S. C. § 76)" in the caption of the form and inserting in lieu thereof "(18 U. S. C. § 912)."

Form 9 also by striking out "(18 U. S. C. § 76)" in the caption of the form and inserting in lieu thereof "(18 U. S. C. § 912)."

Form 10 also by striking out "(18 U. S. C. § 80)" in the caption of the form and inserting in lieu thereof "(18 U. S. C. § 287)."

The following order was adopted by the Supreme Court on December 27, 1948:

ORDER

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5. That the Chief Justice be aut
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the Congress at the beginning of the r
Congress in January 1949.

Form 15 by striking out "(UND
in the title of the form and in
"(UNDER RULE 41)."

Form 17 also by striking out
United States" in two places in
and inserting in lieu thereof in ea
District Court."

Form 20 also by striking out
United States" in the body of t
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Form 21 also by striking out
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Form 26 also by striking out
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ER 18 U. S. C. § 287)"
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"District Court of the
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h place "United States

"District Court of the
he form and inserting
trict Court."
"District Court of the
he form and inserting
trict Court."
"United States Circuit
the form and inserting
rt of Appeals."

GOVERNMENT PRINTING OFFICE 0—1948

The following order was adopted by the Supreme Court on December 29, 1948:

ORDER

ORDERED:

1. That the title "Rules of Civil Procedure for the District Courts of the United States" be amended to read "Rules of Civil Procedure for the United States District Courts."

2. That Rules 1, 17, 22, 24, 25, 27, 37, 45, 57, 60, 62, 65, 66, 67, 69, 72, 73, 74, 75, 76, 79, 81, 82, and 86 of the Rules of Civil Prodecure and Forms Nos. 1, 19, 22, 23, and 27, be, and they hereby are, amended as hereinafter set forth.

3. That the Chief Justice be authorized to transmit these amendments to the Attorney General with the request that he report them to the Congress at the beginning of the regular session in January 1949.

William T. Urie,

Petitioner,

129 vs.

Guy A. Thompson, Trustee of the Missouri Pacific Railroad Company.

Argued by Mr. Guy W. Green for the petitioner, and by Mr. Lyman J. Bishop for the respondent.

Black Diamond Steamship Corp.,

Petitioner,

121 vs.

Robert Stewart & Sons, Ltd., et al.; and

The United States of America,

Petitioner,

130 vs.

Robert Stewart & Sons, Ltd., et al.

Argument commenced by Mr. John W. Crandall for the petitioner in No. 121, and continued by Mr. Philip Elman for the petitioner in No. 130.

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Proclamation being made the Court is adjourned until tomorrow at 12 o'clock.

William T. Urie,

Petitioner,

129 vs.

Guy A. Thompson, Trustee of the Missouri Pacific Railroad Company.

Argued by Mr. Guy W. Green for the petitioner, and by Mr. Lyman J. Bishop for the respondent.

AMENDMENTS
TO
RULES OF CIVIL PROCEDURE
FOR THE UNITED STATES
DISTRICT COURTS

Adopted by the
SUPREME COURT OF THE
UNITED STATES

December 29, 1948

dall for the petitioner in
the petitioner in No. 130.

Proclamation being made the Court is adjourned until tomorrow at 12 o'clock.

William T. Urie,

Petitioner,

129 vs.

Guy A. Thompson, Trustee of the Missouri Pacific Railroad Company.

Argued by Mr. Guy W. Green for the petitioner, and by Mr. Lyman J. Bishop for the respondent.

LETTER OF TRANSMITTAL

SUPREME COURT OF THE UNITED STATES,
WASHINGTON, D. C., December 31, 1948.

MY DEAR MR. ATTORNEY GENERAL:

By direction of the Supreme Court, I transmit to you herewith amendments of the Rules of Civil Procedure for the United States District Courts, which have been adopted by the Supreme Court pursuant to the Act of June 25, 1948, chapter 646 (62 Stat. 869), (U. S. C. Title 28, § 2072) with the request that these amendments be reported by you to the Congress at the beginning of the regular session on January 3, 1949.

I have the honor to remain,
Respectfully yours,
(Signed) FRED M. VINSON,
Chief Justice of the United States.

Honorable TOM C. CLARK,
Attorney General,
Washington, D. C.

III

ndall for the petitioner in

the petitioner in No. 130.

Proclamation being made the Court is adjourned until tomorrow at 12 o'clock.

William T. Urie,

Petitioner,

129 vs.

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Argued by Mr. Guy W. Green for the petitioner, and by Mr. Lyman J. Bishop for the respondent.

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AMENDMENTS TO RULES OF CIVIL PROCEDURE FOR THE UNITED STATES DISTRICT COURTS

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Proclamation being made the Court is adjourned until tomorrow at 12 o'clock.

William T. Urie,

Petitioner,

129 vs.

Guy A. Thompson, Trustee of the Missouri Pacific Railroad Company.

Argued by Mr. Guy W. Green for the petitioner, and by Mr. Lyman J. Bishop for the respondent.

SUPREME COURT OF THE UNITED STATES

OCTOBER TERM, 1948

The following order was adopted by the Supreme Court on December 29, 1948.

ORDER

Ordered:

1. That the title "Rules of Civil Procedure for the District Courts of the United States" be amended to read "Rules of Civil Procedure for the United States District Courts".

2. That Rules 1, 17, 22, 24, 25, 27, 37, 45, 57, 60, 62, 65, 66, 67, 69, 72, 73, 74, 75, 76, 79, 81, 82, and 86 of the Rules of Civil Procedure and Forms Nos. 1, 19, 22, 23, and 27, be, and they hereby are, amended as hereinafter set forth.

3. That the Chief Justice be authorized to transmit these amendments to the Attorney General with the request that he report them to the Congress at the beginning of the regular session in January 1949.

VII

ndall for the petitioner in

the petitioner in No. 130.

Proclamation being made the Court is adjourned until tomorrow at 12 o'clock.

William T. Urie,

Petitioner,

129 vs.

Guy A. Thompson, Trustee of the Missouri Pacific Railroad Company.

Argued by Mr. Guy W. Green for the petitioner, and by Mr. Lyman J. [illegible]

ERRATUM

Line one of Rule 1 should read as follows:
"These rules govern the procedure in the United States"

Rule 1. Scope of Rules.

(b) CAPACITY TO SUE OR BE SUED. The capacity of an district courts in all suits of a civil nature whether cognizable as cases at law or in equity, with the exceptions stated in Rule 81. They shall be construed to secure the just, speedy, and inexpensive determination of every action.

Rule 17. Parties Plaintiff and Defendant; Capacity.

(b) CAPACITY TO SUE OR BE SUED. The capacity of an individual, other than one acting in a representative capacity, to sue or be sued shall be determined by the law of his domicile. The capacity of a corporation to sue or be sued shall be determined by the law under which it was organized. In all other cases capacity to sue or be sued shall be determined by the law of the state in which the district court is held, except (1) that a partnership or other unincorporated association, which has no such capacity by the law of such state, may sue or be sued in its common name for the purpose of enforcing for or against it a substantive right existing under the Constitution or laws of the United States, and (2) that the capacity of a receiver appointed by a court of the United States to sue or be sued in a court of the United States is governed by Title 28, U. S. C., §§ 754 and 959 (a).

Rule 22. Interpleader.

(2) The remedy herein provided is in addition to and in no way supersedes or limits the remedy provided by Title 28, U. S. C. §§ 1335, 1397, and 2361. Actions under those provisions shall be conducted in accordance with these rules.

Rule 24. Intervention.

(c) PROCEDURE. A person desiring to intervene shall serve a motion to intervene upon all parties affected

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2

andall for the petitioner in

r the petitioner in No. 130.

Proclamation being made the Court is adjourned until tomorrow at 12 o'clock.

thereby. The motion shall state the grounds therefor and shall be accompanied by a pleading setting forth the claim or defense for which intervention is sought. The same procedure shall be followed when a statute of the United States gives a right to intervene. When the constitutionality of an act of Congress affecting the public interest is drawn in question in any action to which the United States or an officer, agency, or employee thereof is not a party, the court shall notify the Attorney General of the United States as provided in Title 28, U. S. C., § 2403.

Rule 25. Substitution of Parties.

(d) PUBLIC OFFICERS; DEATH OR SEPARATION FROM OFFICE. When an officer of the United States, or of the District of Columbia, the Canal Zone, a territory, an insular possession, a state, county, city, or other governmental agency is a party to an action and during its pendency dies, resigns, or otherwise ceases to hold office, the action may be continued and maintained by or against his successor, if within 6 months after the successor takes office it is satisfactorily shown to the court that there is a substantial need for so continuing and maintaining it. Substitution pursuant to this rule may be made when it is shown by supplemental pleading that the successor of an officer adopts or continues or threatens to adopt or continue the action of his predecessor in enforcing a law averred to be in violation of the Constitution of the United States. Before a substitution is made, the party or officer to be affected, unless expressly asserting thereto, shall be given reasonable notice of the application therefor and accorded an opportunity to object.

Rule 27. Depositions Before Action or Pending Appeal.

(a) BEFORE ACTION.

(1) *Petition.* A person who desires to perpetuate his own testimony or that of another person regarding any matter that may be cognizable in any court of the United States may file a verified petition in the United States district court in the district of the

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residence of any expected adverse party. The petition shall be entitled in the name of the petitioner and shall show: 1, that the petitioner expects to be a party to an action cognizable in a court of the United States but is presently unable to bring it or cause it to be brought, 2, the subject matter of the expected action and his interest therein, 3, the facts which he desires to establish by the proposed testimony and his reasons for desiring to perpetuate it, 4, the names or a description of the persons he expects will be adverse parties and their addresses so far as known, and 5, the names and addresses of the persons to be examined and the substance of the testimony which he expects to elicit from each, and shall ask for an order authorizing the petitioner to take the depositions of the persons to be examined named in the petition, for the purpose of perpetuating their testimony.

(4) *Use of Deposition.* If a deposition to perpetuate testimony is taken under these rules or if, although not so taken, it would be admissible in evidence in the courts of the state in which it is taken, it may be used in any action involving the same subject matter subsequently brought in a United States district court, in accordance with the provisions of Rule 26 (d).

Rule 37. Refusal to Make Discovery: Consequences.

(e) FAILURE TO RESPOND TO LETTERS ROGATORY. A subpoena may be issued as provided in Title 28, U. S. C., § 1783, under the circumstances and conditions therein stated.

Rule 45. Subpoena.

(e) SUBPOENA FOR A HEARING OR TRIAL.

(2) A subpoena directed to a witness in a foreign country shall issue under the circumstances and in the

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manner and be served as provided in Title 28, U. S. C., § 1783.

Rule 57. Declaratory Judgments.

The procedure for obtaining a declaratory judgment pursuant to Title 28, U. S. C., § 2201, shall be in accordance with these rules, and the right to trial by jury may be demanded under the circumstances and in the manner provided in Rules 38 and 39. The existence of another adequate remedy does not preclude a judgment for declaratory relief in cases where it is appropriate. The court may order a speedy hearing of an action for a declaratory judgment and may advance it on the calendar.

Rule 60. Relief from Judgment or Order.

(b) MISTAKES; INADVERTENCE; EXCUSABLE NEGLECT; NEWLY DISCOVERED EVIDENCE; FRAUD, ETC. On motion and upon such terms as are just, the court may relieve a party or his legal representative from a final judgment, order, or proceeding for the following reasons: (1) mistake, inadvertence, surprise, or excusable neglect; (2) newly discovered evidence which by due diligence could not have been discovered in time to move for a new trial under Rule 59 (b); (3) fraud (whether heretofore denominated intrinsic or extrinsic), misrepresentation, or other misconduct of an adverse party; (4) the judgment is void; (5) the judgment has been satisfied, released, or discharged, or a prior judgment upon which it is based has been reversed or otherwise vacated, or it is no longer equitable that the judgment should have prospective application; or (6) any other reason justifying relief from the operation of the judgment. The motion shall be made within a reasonable time, and for reasons (1), (2), and (3) not more than one year after the judgment, order, or proceeding was entered or taken. A motion under this subdivision (b) does not affect the finality of a judgment or suspend its operation. This rule does not limit the power of a court to entertain an independent action to relieve a party from a judgment, order, or proceeding, or to grant relief to a defendant not actually personally noti-

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fied as provided in Title 28, U. S. C., § 1655, or to set aside a judgment for fraud upon the court. Writs of coram nobis, coram vobis, audita querela, and bills of review and bills in the nature of a bill of review, are abolished, and the procedure for obtaining any relief from a judgment shall be by motion as prescribed in these rules or by an independent action.

Rule 62. Stay of Proceedings to Enforce a Judgment.

(g) POWER OF APPELLATE COURT NOT LIMITED. The provisions in this rule do not limit any power of an appellate court or of a judge or justice thereof to stay proceedings during the pendency of an appeal or to suspend, modify, restore, or grant an injunction during the pendency of an appeal or to make any order appropriate to preserve the status quo or the effectiveness of the judgment subsequently to be entered.

Rule 65. Injunctions.

(e) EMPLOYER AND EMPLOYEE; INTERPLEADER; CONSTITUTIONAL CASES. These rules do not modify any statute of the United States relating to temporary restraining orders and preliminary injunctions in actions affecting employer and employee; or the provisions of Title 28, U. S. C., § 2361, relating to preliminary injunctions in actions of interpleader or in the nature of interpleader; or Title 28, U. S. C., § 2284, relating to actions required by Act of Congress to be heard and determined by a district court of three judges.

Rule 66. Receivers Appointed by Federal Courts.

An action wherein a receiver has been appointed shall not be dismissed except by order of the court. The practice in the administration of estates by receivers or by other similar officers appointed by the court shall be in accordance with the practice heretofore followed in the courts of the United States or as provided in rules promulgated by the district courts. In all other respects the action in which the appointment of a receiver is sought

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or which is brought by or against a receiver is governed by these rules.

Rule 67. Deposit in Court.

In an action in which any part of the relief sought is a judgment for a sum of money or the disposition of a sum of money or the disposition of any other thing capable of delivery, a party, upon notice to every other party, and by leave of court, may deposit with the court all or any part of such sum or thing. Money paid into court under this rule shall be deposited and withdrawn in accordance with the provisions of Title 28, U. S. C., §§ 2041 and 2042; the Act of June 26, 1934, c. 756, § 23, as amended (48 Stat. 1236, 58 Stat. 845), U. S. C., Title 31, § 725v; or any like statute.

Rule 69. Execution.

(b) AGAINST CERTAIN PUBLIC OFFICERS. When a judgment has been entered against a collector or other officer of revenue under the circumstances stated in Title 28, U. S. C., § 2006, or against an officer of Congress in an action mentioned in the Act of March 3, 1875, c. 130, § 8 (18 Stat. 401), U. S. C., Title 2, § 118, and when the court has given the certificate of probable cause for his act as provided in those statutes, execution shall not issue against the officer or his property but the final judgment shall be satisfied as provided in such statutes.

Rule 72. Appeal from a District Court to the Supreme Court.

When an appeal is permitted by law from a district court to the Supreme Court of the United States, an appeal shall be taken, perfected, and prosecuted pursuant to law and the Rules of the Supreme Court of the United States governing such an appeal.

Rule 73. Appeal to a Court of Appeals.

(a) WHEN AND HOW TAKEN. When an appeal is permitted by law from a district court to a court of appeals the time within which an appeal may be taken shall be 30 days from the entry of the judgment appealed from

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unless a shorter time is provided by law, except that in any action in which the United States or an officer or agency thereof is a party the time as to all parties shall be 60 days from such entry, and except that upon a showing of excusable neglect based on a failure of a party to learn of the entry of the judgment the district court in any action may extend the time for appeal not exceeding 30 days from the expiration of the original time herein prescribed. The running of the time for appeal is terminated by a timely motion made pursuant to any of the rules hereinafter enumerated, and the full time for appeal fixed in this subdivision commences to run and is to be computed from the entry of any of the following orders made upon a timely motion under such rules: granting or denying a motion for judgment under Rule 50 (b); or granting or denying a motion under Rule 52 (b) to amend or make additional findings of fact, whether or not an alteration of the judgment would be required if the motion is granted; or granting or denying a motion under Rule 59 to alter or amend the judgment; or denying a motion for a new trial under Rule 59.

A party may appeal from a judgment by filing with the district court a notice of appeal. Failure of the Appellant to take any of the further steps to secure the review of the judgment appealed from does not affect the validity of the appeal, but is ground only for such remedies as are specified in this rule or, when no remedy is specified, for such action as the appellate court deems appropriate, which may include dismissal of the appeal. If an appeal has not been docketed, the parties, with the approval of the district court, may dismiss the appeal by stipulation filed in that court, or that court may dismiss the appeal upon motion and notice by the appellant.

(c) BOND ON APPEAL. Unless a party is exempted by law, a bond for costs on appeal shall be filed with the notice of appeal. The bond shall be in the sum of two hundred and fifty dollars, unless the court fixes a different

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amount or unless a supersedeas bond is filed, in which event no separate bond on appeal is required. The bond on appeal shall have sufficient surety and shall be conditioned to secure the payment of costs if the appeal is dismissed or the judgment affirmed, or of such costs as the appellate court may award if the judgment is modified. If a bond on appeal in the sum of two hundred and fifty dollars is given, no approval thereof is necessary. After a bond on appeal is filed an appellee may raise objections to the form of the bond or to the sufficiency of the surety for determination by the clerk.

Rule 74. Joint or Several Appeals to the Supreme Court or to a Court of Appeals; Summons and Severance Abolished.

Parties interested jointly, severally, or otherwise in a judgment may join in an appeal therefrom; or, without summons and severance, any one or more of them may appeal separately or any two or more of them may join in an appeal.

Rule 75. Record on Appeal to a Court of Appeals.

(a) DESIGNATION OF CONTENTS OF RECORD ON APPEAL. Promptly after an appeal to a court of appeals is taken, the appellant shall serve upon the appellee and file with the district court a designation of the portions of the record, proceedings, and evidence to be contained in the record on appeal, unless the appellee has already served and filed a designation. Within 10 days after the service and filing of such a designation, any other party to the appeal may serve and file a designation of additional portions of the record, proceedings, and evidence to be included. If the appellee files the original designation, the parties shall proceed under subdivision (b) of this rule as if the appellee were the appellant.

(b) TRANSCRIPT. If there be designated for inclusion any evidence or proceeding at a trial or hearing which was stenographically reported, the appellant shall file with his

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designation a copy of the reporter's transcript of the evidence or proceedings included in his designation. If the designation includes only part of the reporter's transcript, the appellant shall file a copy of such additional parts thereof as the appellee may need to enable him to designate and file the parts he desires to have added, and if the appellant fails to do so the court on motion may require him to furnish the additional parts needed. The copy so filed by the appellant shall be available for the use of the other parties. In the event that a copy of the reporter's transcript or of the necessary portions thereof is already on file, the appellant shall not be required to file an additional copy. When the rules of the court of appeals so require, the appellant shall furnish a second copy of the transcript for use in the appellate court.

(g) RECORD TO BE PREPARED BY CLERK—NECESSARY PARTS. The clerk of the district court, under his hand and the seal of the court, shall transmit to the appellate court a true copy of the matter designated by the parties, but shall always include, whether or not designated, copies of the following: the material pleadings without unnecessary duplication; the verdict or the findings of fact and conclusions of law together with the direction for the entry of judgment thereon; in an action tried without a jury, the master's report, if any; the opinion; the judgment or part thereof appealed from; the notice of appeal with date of filing; the designations or stipulations of the parties as to matter to be included in the record; and any statement by the appellant of the points on which he intends to rely. The matter so certified and transmitted constitutes the record on appeal. The clerk shall transmit with the record on appeal a copy thereof when a copy is required by the rules of the court of appeals. The copy of the transcript filed as provided in subdivision (b) of this rule shall be certified by the clerk as a part of the record on appeal and the clerk may not require an additional copy as a requisite to certification.

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(h) POWER OF COURT TO CORRECT OR MODIFY RECORD. It is not necessary for the record on appeal to be approved by the district court or judge thereof except as provided in subdivisions (m) and (n) of this rule and in Rule 76, but, if any difference arises as to whether the record truly discloses what occurred in the district court, the difference shall be submitted to and settled by that court and the record made to conform to the truth. If anything material to either party is omitted from the record on appeal by error or accident or is misstated therein, the parties by stipulation, or the district court, either before or after the record is transmitted to the appellate court, or the appellate court, on a proper suggestion or of its own initiative, may direct that the omission or misstatement shall be corrected, and if necessary that a supplemental record shall be certified and transmitted by the clerk of the district court. All other questions as to the content and form of the record shall be presented to the court of appeals.

(o) RULE FOR TRANSMISSION OF ORIGINAL PAPERS. Whenever a court of appeals provides by rule for the hearing of appeals on the original papers, the clerk of the district court shall transmit them to the appellate court in lieu of the copies provided by this Rule 75. The transmittal shall be within such time or extended time as is provided in Rule 73 (g), except that the district court by order may fix a shorter time. The clerk shall transmit all the original papers in the file dealing with the action or the proceeding in which the appeal is taken, with the exception of such omissions as are agreed upon by written stipulation of the parties on file, and shall append his certificate identifying the papers with reasonable definiteness. If a transcript of the testimony is on file the clerk shall transmit that also; otherwise the appellant shall file with the clerk for transmission such transcript of the testimony as he deems necessary for his appeal subject to the right of an appellee either to file additional portions or to procure an order from the district court requiring the

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appellant to do so. After the appeal has been disposed of, the papers shall be returned to the custody of the district court. The provisions of subdivisions (h), (j), (k), (l), (m), and (n) shall be applicable but with reference to the original papers as herein provided rather than to a copy or copies.

Rule 76. Record on Appeal to a Court of Appeals; Agreed Statement.

When the questions presented by an appeal to a court of appeals can be determined without an examination of all the pleadings, evidence, and proceedings in the court below, the parties may prepare and sign a statement of the case showing how the questions arose and were decided in the district court and setting forth only so many of the facts averred and proved or sought to be proved as are essential to a decision of the questions by the appellate court. The statement shall include a copy of the judgment appealed from, a copy of the notice of appeal with its filing date, and a concise statement of the points to be relied on by the appellant. If the statement conforms to the truth, it, together with such additions as the court may consider necessary fully to present the questions raised by the appeal, shall be approved by the district court and shall then be certified to the appellate court as the record on appeal.

Rule 79. Books and Records Kept by the Clerk and Entries Therein.

(a) CIVIL DOCKET. The clerk shall keep a book known as "civil docket" of such form and style as may be prescribed by the Director of the Administrative Office of the United States Courts with the approval of the Judicial Conference of the United States, and shall enter therein each civil action to which these rules are made applicable. Actions shall be assigned consecutive file numbers. The file number of each action shall be noted on the folio of the docket whereon the first entry of the action is made. All papers filed with the clerk, all process issued and returns made thereon, all appearances, orders, verdicts,

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and judgments shall be noted chronologically in the civil docket on the folio assigned to the action and shall be marked with its file number. These notations shall be brief but shall show the nature of each paper filed or writ issued and the substance of each order or judgment of the court and of the returns showing execution of process. The notation of an order or judgment shall show the date the notation is made. When in an action trial by jury has been properly demanded or ordered the clerk shall enter the word "jury" on the folio assigned to that action.

(b) CIVIL JUDGMENTS AND ORDERS. The clerk shall keep, in such form and manner as the Director of the Administrative Office of the United States Courts with the approval of the Judicial Conference of the United States may prescribe, a correct copy of every final judgment or appealable order, or order affecting title to or lien upon real or personal property, and any other order which the court may direct to be kept.

(d) OTHER BOOKS AND RECORDS OF THE CLERK. The clerk shall also keep such other books and records as may be required from time to time by the Director of the Administrative Office of the United States Courts with the approval of the Judicial Conference of the United States.

Rule 81. Applicability in General.

(a) TO WHAT PROCEEDINGS APPLICABLE.

(1) These rules do not apply to proceedings in admiralty. They do not apply to proceedings in bankruptcy or proceedings in copyright under Title 17, U. S. C., except in so far as they may be made applicable thereto by rules promulgated by the Supreme Court of the United States. They do not apply to probate, adoption, or lunacy proceedings in the United States District Court for the District of Columbia except to appeals therein.

(2) In the following proceedings appeals are governed by these rules, but they are not applicable

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otherwise than on appeal except to the extent that the practice in such proceedings is not set forth in statutes of the United States and has heretofore conformed to the practice in actions at law or suits in equity: admission to citizenship, habeas corpus, quo warranto, and forfeiture of property for violation of a statute of the United States. The requirements of Title 28, U. S. C., § 2253, relating to certification of probable cause in certain appeals in habeas corpus cases remain in force.

(3) In proceedings under Title 9, U. S. C., relating to arbitration, or under the Act of May 20, 1926, c. 347, § 9 (44 Stat. 585), U. S. C., Title 45, § 159, relating to boards of arbitration of railway labor disputes, these rules apply to appeals, but otherwise only to the extent that matters of procedure are not provided for in those statutes. These rules apply (1) to proceedings to compel the giving of testimony or production of documents in accordance with a subpoena issued by an officer or agency of the United States under any statute of the United States except as otherwise provided by statute or by rules of the district court or by order of the court in the proceedings, and (2) to appeals in such proceedings.

(4) These rules do not alter the method prescribed by the Act of February 18, 1922, c. 57, § 2 (42 Stat. 388), U. S. C., Title 7, § 292; or by the Act of June 10, 1930, c. 436, § 7 (46 Stat. 534), as amended, U. S. C., Title 7, § 499g (c), for instituting proceedings in the United States district courts to review orders of the Secretary of Agriculture; or prescribed by the Act of June 25, 1934, c. 742, § 2 (48 Stat. 1214), U. S. C., Title 15, § 522, for instituting proceedings to review orders of the Secretary of Commerce; or prescribed by the Act of February 22, 1935, c. 18, § 5 (49 Stat. 31), U. S. C., Title 15, § 715d (c), as extended for instituting proceedings to review orders of petroleum control boards; but the conduct of such proceedings

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in the district courts shall be made to conform to these rules so far as applicable.

(5) These rules do not alter the practice in the United States district courts prescribed in the Act of July 5, 1935, c. 372, §§ 9 and 10 (49 Stat. 453), as amended, U. S. C., Title 29, §§ 159 and 160, for beginning and conducting proceedings to enforce orders of the National Labor Relations Board; and in respects not covered by those statutes, the practice in the district courts shall conform to these rules so far as applicable.

(6) These rules apply to proceedings for enforcement or review of compensation orders under the Longshoremen's and Harbor Workers' Compensation Act, Act of March 4, 1927, c. 509, §§ 18, 21 (44 Stat. 1434, 1436), as amended, U. S. C., Title 33, §§ 918, 921, except to the extent that matters of procedure are provided for in that Act. The provisions for service by publication and for answer in proceedings to cancel certificates of citizenship under the Act of October 14, 1940, c. 876, § 338 (54 Stat. 1158), U. S. C., Title 8, § 738, remain in effect.

(c) REMOVED ACTIONS. These rules apply to civil actions removed to the United States district courts from the state courts and govern procedure after removal. Repleading is not necessary unless the court so orders. In a removed action in which the defendant has not answered, he shall answer or present the other defenses or objections available to him under these rules within 20 days after the receipt through service or otherwise of a copy of the initial pleading setting forth the claim for relief upon which the action or proceeding is based, or within 20 days after the service of summons upon such initial pleading, then filed, or within 5 days after the filing of the petition for removal, whichever period is longest. If at the time of removal all necessary pleadings have been served, a party entitled to trial by jury under Rule 38 shall be accorded it, if his demand therefor is served within 10 days

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after the petition for removal is filed if he is the petitioner, or if he is not the petitioner within 10 days after service on him of the notice of filing the petition.

(d) DISTRICT OF COLUMBIA; COURTS AND JUDGES. (Abrogated.)

(e) LAW APPLICABLE. Whenever in these rules the law of the state in which the district court is held is made applicable, the law applied in the District of Columbia governs proceedings in the United States District Court for the District of Columbia. When the word "state" is used, it includes, if appropriate, the District of Columbia. When the term "statute of the United States" is used, it includes, so far as concerns proceedings in the United States District Court for the District of Columbia, any Act of Congress locally applicable to and in force in the District of Columbia. When the law of a state is referred to, the word "law" includes the statutes of that state and the state judicial decisions construing them.

Rule 82. Jurisdiction and Venue Unaffected.

These rules shall not be construed to extend or limit the jurisdiction of the United States district courts or the venue of actions therein.

Rule 86. Effective Date.

(c) EFFECTIVE DATE OF AMENDMENTS. The amendments adopted by the Supreme Court on December 29, 1948, and transmitted to the Attorney General on December 31, 1948, shall take effect on the day following the adjournment of the first regular session of the 81st Congress.

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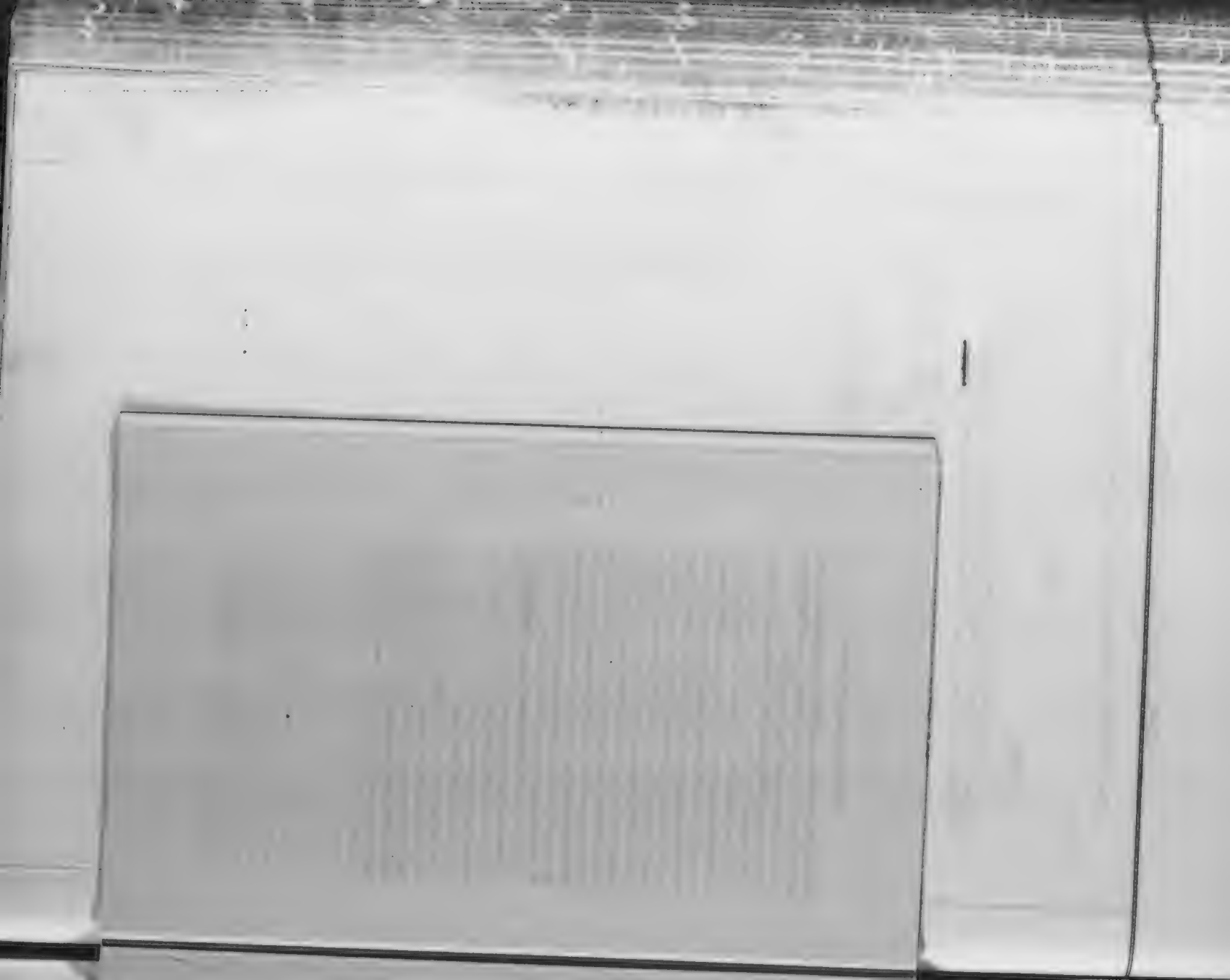

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APPENDIX OF FORMS

Form 1.—Summons

UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF NEW YORK

Civil Action, File Number ----------

A. B., Plaintiff
v.
C. D., Defendant

Summons

To the above-named Defendant:

You are hereby summoned and required to serve upon ----------, plaintiff's attorney, whose address is ---------- ----------, an answer to the complaint which is herewith served upon you, within 20[1] days after service of this summons upon you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint.

----------,
Clerk of Court.

[Seal of the U. S. District Court]

Dated ----------

(This summons is issued pursuant to Rule 4 of the Federal Rules of Civil Procedure.)

Form 19.—Motion to Dismiss, Presenting Defenses of Failure to State a Claim, or Lack of Service or Process, or Improper Venue, and of Lack of Jurisdiction under Rule 12 (b)

The defendant moves the court as follows:

1. To dismiss the action because the complaint fails to state a claim against defendant upon which relief can be granted.

[1] If the United States or an officer or agency thereof is a defendant, the time to be inserted as to it is 60 days.

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2. To dismiss the action or in lieu thereof to quash the return of service of summons on the grounds (a) that the defendant is a corporation organized under the laws of Delaware and was not and is not subject to service of process within the Southern District of New York, and (b) that the defendant has not been properly served with process in this action, all of which more clearly appears in the affidavits of M. N. and X. Y. hereto annexed as Exhibit A and Exhibit B, respectively.

3. To dismiss the action on the ground that it is in the wrong district because (a) the jurisdiction of this court is invoked solely on the ground that the action arises under the Constitution and laws of the United States and (b) the defendant is a corporation incorporated under the laws of the State of Delaware and is an inhabitant thereof.

4. To dismiss the action on the ground that the court lacks jurisdiction because the amount actually in controversy is less than three thousand dollars exclusive of interest and costs.

Signed: _____
Attorney for Defendant.

Address: _____

Notice of Motion

To: _____
Attorney for Plaintiff.

_____

Please take notice, that the undersigned will bring the above motion on for hearing before this Court at Room ____, United States Court House, Foley Square, City of New York, on the ____ day of _____, 19___, at 10 o'clock in the forenoon of that day or as soon thereafter as counsel can be heard.

Signed: _____
Attorney for Defendant.

Address: _____

Note

The above motion and notice of motion may be combined and denominated Notice of Motion. See Rule 7 (b).

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FORM 22.—MOTION TO BRING IN THIRD-PARTY DEFENDANT

(Form for motion remains unchanged)

Exhibit A

United States District Court for the Southern District of New York

CIVIL ACTION, FILE NUMBER ----

A. B., PLAINTIFF
v.
C. D., DEFENDANT AND THIRD-PARTY PLAINTIFF
v.
E. F., THIRD-PARTY DEFENDANT

Summons

To the above-named Third-Party Defendant:

You are hereby summoned and required to serve upon ----------, plaintiff's attorney whose address is ----------, and upon ----------, who is attorney for C. D., defendant and third-party plaintiff, and whose address is ----------, an answer to the third-party complaint which is herewith served upon you and an answer to the complaint of the plaintiff, a copy of which is herewith served upon you, within 20 days after the service of this summons upon you exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the third-party complaint.

----------,
Clerk of Court.

[Seal of District Court]
Dated ----------

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Form 23.—Motion to Intervene as a Defendant under Rule 24

(Based upon the complaint, Form 16)

United States District Court for the Southern District of New York

Civil Action, File Number....

A. B., plaintiff
v.
C. D., defendant
E. F., applicant for intervention

Motion to intervene as a defendant

E. F. moves for leave to intervene as a defendant in this action, in order to assert the defenses set forth in his proposed answer, of which a copy is hereto attached, on the ground that he is the manufacturer and vendor to the defendant, as well as to others, of the articles alleged in the complaint to be an infringement of plaintiff's patent, and as such has a defense to plaintiff's claim presenting both questions of law and of fact which are common to the main action.[4]

Signed: ----------,
Attorney for E. F., Applicant for Intervention.
Address: ----------

Notice of Motion

(Contents the same as in Form 19)

[4] For other grounds of intervention, either of right or in the discretion of the court, see Rule 24 (a) and (b).

William T. Urie,

Petitioner,

129 vs.

Guy A. Thompson, Trustee of the Missouri Pacific Railroad Company.

Argued by Mr. Guy W. Green for the petitioner, and by Mr. Lyman J. Bishop for the respondent.

RULES OF CIVIL PROCEDURE 21

United States District Court for the Southern District of New York

CIVIL ACTION, FILE NUMBER ----

A. B., PLAINTIFF
v.
C. D., DEFENDANT
E. F., INTERVENER
Intervener's answer

First Defense

Intervener admits the allegations stated in paragraphs 1 and 4 of the complaint; denies the allegations in paragraph 3, and denies the allegations in paragraph 2 in so far as they assert the legality of the issuance of the Letters Patent to plaintiff.

Second Defense

Plaintiff is not the first inventor of the articles covered by the Letters Patent specified in his complaint, since articles substantially identical in character were previously patented in Letters Patent granted to intervener on January 5, 1920.

Signed: ----------,
Attorney for E. F., Intervener.
Address: ----------

Form 27.—NOTICE OF APPEAL TO COURT OF APPEALS UNDER RULE 73 (b)

Notice is hereby given that C. D. and E. F., defendants above named, hereby appeal to the United States Court of Appeals for the Second Circuit [from the Order (describing it)] [from the final judgment] entered in this action on----------, 19----.

Signed: ----------,
Attorney for Appellants C. D. and E. F.
Address: ----------

NOTE

Use either the material in the first set of brackets or that in the second, as the case requires. If the appeal is from a part only of an order or judgment that part must be specified.

Rule 73 (b) does not require the appellee to be named. It does require the clerk to notify all other parties than appellant.

U. S. GOVERNMENT PRINTING OFFICE 1946

all for the petitioner in

he petitioner in No. 130.

ntil tomorrow at 12 o'clock.

Pursuant to adjournment the Court met at the Supreme Court Building.

PRESENT:

The Honorable Fred M. Vinson, Chief Justice,
Hugo L. Black,
Stanley Reed,
Felix Frankfurter,
William O. Douglas, Associate Justices.
Robert H. Jackson,
Wiley Rutledge,
Harold H. Burton.
Thomas Ennalls Waggaman, Esquire, Marshal,
Charles Elmore Cropley, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Francis R. Curran, It is ordered that Emanuel Strauss, Esquire, of New York, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. John P. Oberlin, It is ordered that James Ross Stewart, Esquire, of Cleveland, State of Ohio, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Louis J. O'Marr, It is ordered that Willett M. Haight, Esquire, of Riverton, State of Wyoming, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Hale Boggs, It is ordered that Howard W. Lenfant, Esquire, of New Orleans, State of Louisiana, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Wayne Lyman Morse, It is ordered that Reuben G. Lenske, Esquire, of Portland, State of Oregon, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

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Robert Frazier,

Petitioner,

44 vs.

The United States of America.

ON CONSIDERATION of the motion of counsel for the petitioner to extend the time within which to file a petition for rehearing in this case,

IT IS ORDERED by this Court that the said motion be, and it is hereby, granted and the time is extended to and including January 14, 1949.

Per Mr. Chief Justice Vinson.

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Black Diamond Steamship Corp.,

Petitioner,

121 vs.

Robert Stewart & Sons, Ltd., et al.;
and

The United States of America,

Petitioner,

130 vs.

Robert Stewart & Sons, Ltd., et al.

Argument continued by Mr. W. G. Symmers for the respondents, and concluded by Mr. Philip Elman for the petitioner in No. 130.

The City of New York,

Petitioner,

168 vs.

Lewis H. Saper, as Trustee in Bankruptcy
of Spotlight Productions, Inc.

Argued by Mr. Seymour B. Quel for the petitioner, and by Mr. David Haar for the respondent.

State of New York,

Petitioner,

200 vs.

Leonard H. Carter, as Trustee in Bankruptcy; and

The United States of America,

Petitioner,

201 vs.

Leonard H. Carter, Trustee of Union Fabrics, Inc., Bankrupt.

Argued by Mr. I. Henry Kutz for the petitioner in No. 201; by Mr. Francis R. Curran for the petitioner in No. 200, and by Mr. Sydney W. Cable for the respondent.

Joseph Giboney, Harold Hackell, Paul Mandalia, et al.,

Appellants,

182 vs.

Empire Storage and Ice Company.

Argument commenced by Mr. Clif Langsdale for the appellants.

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Proclamation being made the Court is adjourned until tomorrow at 12 o'clock.

WEDNESDAY, JANUARY 5, 1949.

Pursuant to adjournment the Court met at the Supreme Court Building.

PRESENT:

The Honorable Fred M. Vinson, Chief Justice,
Hugo L. Black,
Stanley Reed,
Felix Frankfurter,
William O. Douglas,
Robert H. Jackson,
Wiley Rutledge,
Harold H. Burton. Associate Justices.

Thomas Ennalls Waggaman, Esquire, Marshal,
Charles Elmore Cropley, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. John T. Cahill, It is ordered that Loftus E. Becker, Esquire, of New York, State of New York, and Robert G. Zeller, Esquire, of New York, State of New York, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Howard W. Lenfant, It is ordered that Lucian L. Johnson, Esquire, of Louisville, Commonwealth of Kentucky, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

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Joseph Giboney, Harold Hackell, Paul Mandalia, et al.,

Appellants,

182 vs.

Empire Storage and Ice Company.

Argument concluded by Mr. Clif Langsdale for the appellants and submitted by Mr. Richard K. Phelps for the appellee.

Superior Court of the State of
California in and for the County
of Los Angeles and Farmer Bros. Co.,

Petitioners,

191 vs.

Gay Lillefloren, et al.

Argument commenced by Mr. Russell E. Parsons for the petitioners; motion of respondents to dismiss submitted and argument continued by Mr. David Sokol for the respondents; by Mr. Herbert S. Thatcher for the respondents; and concluded by Mr. Russell E. Parsons for the petitioners.

Lionel G. Ott, Commissioner of Public
Finance and Ex-Officio City Treasurer
of the City of New Orleans, et al.,

Appellants,

244 vs.

Mississippi Valley Barge Line Company,
American Barge Line Company, and Union
Barge Line Corporation.

Argued by Mr. Howard W. Lenfant for the appellants, and by Mr. Arthur A. Moreno for the appellees. Leave granted appellees to file supplemental brief within 10 days.

Graver Tank & Mfg. Co., Inc., et al.,

Petitioners,

184 vs.

The Linde Air Products Company; and

Graver Tank & Mfg. Co., Inc., et al.,

Petitioners,

185 vs.

The Linde Air Products Company.

Argument commenced by Mr. Thomas V. Koykka for the petitioners.

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Proclamation being made the Court is adjourned until tomorrow at 12 o'clock.

THURSDAY, JANUARY 6, 1949.

Pursuant to adjournment the Court met at the Supreme Court Building.

PRESENT:

The Honorable Fred M. Vinson, Chief Justice,
Hugo L. Black,
Stanley Reed,
Felix Frankfurter,
William O. Douglas,
Robert H. Jackson,
Wiley Rutledge,
Harold H. Burton. Associate Justices.

Thomas Ennalls Waggaman, Esquire, Marshal,

Charles Elmore Cropley, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Wm. L. Ransom, It is ordered that James M. Polk, Esquire, of New York, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Harold F. Moneman, It is ordered that Laurence W. Fairfax, Esquire, of New York, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Nugent Dodds, It is ordered that Franklin B. Powers, Esquire, of Youngstown, State of Ohio, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Miss Jean R. Meyer, It is ordered that Herbert Jerome Bass, Esquire, of Philadelphia, Commonwealth of Pennsylvania, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. John A. Wilson, It is ordered that Willard M. L. Robinson, Esquire, of New York, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

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Graver Tank & Mfg. Co., Inc., et al.,

Petitioners,

184 vs.

The Linde Air Products Company; and

Graver Tank & Mfg. Co., Inc., et al.,

Petitioners,

185 vs.

The Linde Air Products Company.

Argument continued by Mr. Thomas V. Koykka for the petitioners, by Mr. John T. Cahill and Mr. Richard R. Wolfe for the respondent, and concluded by Mr. Thomas V. Koykka for the petitioners.

National Carbide Corporation,

Petitioner,

151 vs.

Commissioner of Internal Revenue;

Air Reduction Sales Company,

Petitioner,

152 vs.

Commissioner of Internal Revenue; and

Pure Carbonic, Inc.,

Petitioner,

153 vs.

Commissioner of Internal Revenue.

Argued by Mr. Erwin N. Griswold for the petitioners, and by Mr. Hilbert P. Zarky for the respondent.

Joy Oil Company, Ltd.,

Petitioner,

223 vs.

State Tax Commission.

Argument commenced by Mr. Clayton P. Jennings for the petitioner.

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Proclamation being made the Court is adjourned until tomorrow at 12 o'clock.

Pursuant to adjournment the Court met at the Supreme Court Building.

PRESENT:

The Honorable Fred M. Vinson, Chief Justice,
Hugo L. Black,
Stanley Reed,
Felix Frankfurter,
William O. Douglas,
Robert H. Jackson,
Wiley Rutledge,
Harold H. Burton. Associate Justices.

Thomas Ennalls Waggaman, Esquire, Marshal,

Charles Elmore Cropley, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Edward F. Burke, It is ordered that Lewis F. Shull, Esquire, of Scottsbluff, State of Nebraska, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Joseph P. O'Hara, It is ordered that Francis T. Ryan, Esquire, of Minneapolis, State of Minnesota, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Robert M. Vaughan, It is ordered that Geo. Sladovich, Jr., Esquire, of New Orleans, State of Louisiana, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Miss Sara Blanche McGrann, It is ordered that Mary Elizabeth Bibb, of Washington, District of Columbia, be admitted to practice as an Attorney and Counsellor of this Court, and she was sworn accordingly. (Miss)

On motion first made to the Court in this behalf by Mr. Jerome F. Barnard, It is ordered that James Masami Morita, Esquire, of Honolulu, Territory of Hawaii; Thomas W. Flynn, Esquire, of Honolulu, Territory of Hawaii; and Wai Yuen Char, Esquire, of Honolulu, Territory of Hawaii, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Joseph C. O'Mahoney, It is ordered that Bradford Ross, Esquire, of Cheyenne, State of Wyoming, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

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Joy Oil Company, Ltd.,

Petitioner,

223 vs.

State Tax Commission.

Argument continued by Mr. Clayton P. Jennings for the petitioner, by Mr. Edmund E. Shepherd for the respondent, and concluded by Mr. Clayton P. Jennings for the petitioner.

Wisconsin Electric Power Company,

Petitioner,

237 vs.

The United States of America.

Argued by Mr. Van B. Wake for the petitioner; by Mr. William L. Ransom for Consolidated Edison Company of New York, as amicus curiae, by special leave of Court; and by Mr. Lee A. Jackson for the respondent.

The United States,

Petitioner,

253 vs.

Penn Foundry and Manufacturing Company, Inc.

Argument commenced by Mr. Melvin Richter for the petitioner, and continued by Mr. David G. Bress for the respondent.

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Proclamation being made the Court is adjourned until Monday, January 10, next, at 12 o'clock.

MONDAY, JANUARY 10, 1949.

Pursuant to adjournment the Court met at the Supreme Court Building.

PRESENT:

The Honorable Fred M. Vinson, Chief Justice,
Hugo L. Black,
Stanley Reed,
Felix Frankfurter,
William O. Douglas, Associate Justices.
Robert H. Jackson,
Wiley Rutledge,
Harold H. Burton.
Thomas Ennalls Waggaman, Esquire, Marshal,
Charles Elmore Cropley, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Solicitor General Philip B. Perlman, It is ordered that Laurence J. Hogan, Esquire, of Pawtucket, State of Rhode Island; Edward T. Hogan, Esquire, of Pawtucket, State of Rhode Island; and Philip R. Miller, Esquire, of Washington, District of Columbia, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Hale Boggs, It is ordered that John L. Madden, Esquire, of Baton Rouge, State of Louisiana, and Bol E. Kemp, Jr., Esquire, of Amite, State of Louisiana, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Monroe Oppenheimer, It is ordered that Joseph W. Di Silvestro, Esquire, of New York, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Wm. J. Chisholm, It is ordered that H. David Frackman, Esquire, of New York, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Mark C. Reno, It is ordered that Raymond E. Manke, Esquire, of Des Moines, State of Iowa, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. W. D. McFarlane, It is ordered that Charles M. Brooks, Esquire, of Denton, State of Texas, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Jacob W. Friedman, It is ordered that Arthur Bruan, Esquire, of New York, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. John J. Courtney, It is ordered that William M. Farrer, Esquire, of Los Angeles, State of California, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Posey T. Kime, It is ordered that George W. DeMoss, Esquire, of Indianapolis, State of Indiana, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Fulton M. Brylawski, It is ordered that Herbert T. Silverberg, Esquire, of Los Angeles, State of California, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Peyton D. Bibb, It is ordered that Douglas W. Matthews, Esquire, of Atlanta, State of Georgia, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. John W. Cragun, It is ordered that David Anthony Botto, Esquire, of New York, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

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The Chief Justice announced the following orders of the Court:

The Superior Court of the State of California in and for the County of Los Angeles and Farmer Bros. Co., a Corporation,

Petitioners,

191 vs.

Gay Lillefloren, Russell Marks, L. L. Sylvane, Homer Ford, et al.

On writ of certiorari to the Supreme Court of the State of California.

THIS CAUSE came on to be heard on the transcript of the record from the Supreme Court of the State of California, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is ordered by this Court that this case be, and the same is hereby, dismissed for the want of jurisdiction, it appearing that there is a non-federal ground, independent of the federal ground, and adequate to support the judgment of the lower court.

Per Mr. Chief Justice Vinson.

J. P. Cornelius,

Appellant,

455 vs.

Pearl B. Jackson.

Appeal from the Supreme Court of the State of Oklahoma.

THIS CAUSE came on to be heard on the transcript of the record from the Supreme Court of the State of Oklahoma, and was duly submitted.

ON CONSIDERATION WHEREOF, It is now here ordered by this Court that the appeal herein be, and the same is hereby, dismissed for the want of a substantial federal question.

Per Mr. Chief Justice Vinson.

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The Chief Justice said:

"The other orders of the Court appear upon the list certified by the Chief Justice and filed with the clerk and will not be announced orally."

Frederick W. Wade,

Petitioner,

427 vs.

Walter A. Hunter, Warden, United States Penitentiary, Leavenworth, Kansas.

Order allowing certiorari.

The petition herein for a writ of certiorari to the United States Court of Appeals for the Tenth Circuit is granted.

And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

National Bank of Commerce of San Antonio, Independent Executor and Trustee of the Estate of W. G. Higgins, Deceased,

Petitioner,

357 vs.

Frank Scofield, Collector of Internal Revenue.

On petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Fifth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

M. Robert Guggenheim,

Petitioner,

405 vs.

The United States.

On petition for writ of certiorari to The Court of Claims.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Court of Claims and of the argument of counsel thereupon had, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Henry C. Riely and Robert T. Barton, Jr., As Receivers of Pierce Oil Corporation, a Virginia Corporation, heretofore dissolved,

Petitioners,

409 vs.

The United States of America.

On petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Fourth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

James A. Daggs,

Petitioner,

411 vs.

Grover C. Klein, Rear Admiral, U. S. Navy, etc., et al.

On petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Ninth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

John Braito,

Petitioner,

412 vs.

Grover C. Klein, Rear Admiral, U. S. Navy, etc., et al.

On petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Ninth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Foreman's Association of America,

Petitioner,

415 vs.

Edward G. Budd Manufacturing Company and National Labor Relations Board.

On petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Sixth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

J. T. Williams,

Petitioner,

428 vs.

The United States of America.

On petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Fifth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Benjamin Joseph Miles and Myrtle Lett Miles,

Petitioners,

437 vs.

The United States of America.

On petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Sixth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

William Z. Foster, Eugene Dennis, also Known as Francis K. Waldron, Jr., John B. Williamson, et al.,

Petitioners,

503 vs.

Honorable Harold R. Medina.

On petition for writ of certiorari to the United States Court of Appeals for the Second Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Second Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

William Z. Foster, Eugene Dennis, also Known as Francis K. Waldron, Jr., et al.,

Petitioners,

503 vs.

Honorable Harold R. Medina.

ON CONSIDERATION of the motion of counsel for the petitioners in this case for a stay of the trial,

IT IS ORDERED by this Court that the said motion be, and it is hereby, denied.

Per Mr. Chief Justice Vinson.

International Brotherhood of Teamsters, Chauffeurs, Warehousemen and Helpers of America (A. F. L.) Local Union No. 667, et al.,

Petitioners,

270 vs.

Joe Mascari, et al.

On petition for writ of certiorari to the Supreme Court of the State of Tennessee.

It appearing to the Court that counsel for the petitioners have filed a motion to dismiss the petition for writ of certiorari in this case,

Therefore, pursuant to said motion, it is ordered by this Court that the petition for writ of certiorari in this case be, and it is hereby, dismissed.

Per Mr. Chief Justice Vinson.

William B. Donnell,

Petitioner,

98, Misc. vs.

State of Missouri.

ON CONSIDERATION of the motion for leave to file a petition for rehearing in this case,

IT IS ORDERED by this Court that the said motion be, and it is hereby, denied.

Per Mr. Chief Justice Vinson.

Bernard M. Shotkin,

Petitioner,

214, Misc. vs.

W. F. Perkins and John Healy; and

Bernard M. Shotkin,

Petitioner,

219, Misc. vs.

H. P. Burke, et al.

A petition for rehearing having been filed in these cases,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Victor Garity, Petitioner, vs. People of the State of New York. 54, Misc. — On petition for writ of certiorari to the Court of Appeals of the State of New York.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Court of Appeals of the State of New York, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

W. S. Peaker, Petitioner, vs. State of Oklahoma. 282, Misc. — On petition for writ of certiorari to the Criminal Court of Appeals of the State of Oklahoma.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Criminal Court of Appeals of the State of Oklahoma, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Charles W. Wilson, Petitioner, vs. R. H. Hudspeth, Warden. 286, Misc. — On petition for writ of certiorari to the Supreme Court of the State of Kansas.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of Kansas, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Garfield J. Kelly,

Petitioner,

284, Misc. vs.

Ralph Howard, Warden.

ON CONSIDERATION of the motion for leave to file a petition for writ of habeas corpus herein,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Henry Winston, Irving Potash, Robert G. Thompson, et al.,

Petitioners,

317, Misc. vs.

Hon. John Clark Knox, as Chief Judge, etc., et al.

ON CONSIDERATION of the motion for leave to file petition to void indictments and to quash venire of petit jurors, for a rule to show cause why mandamus and prohibition should not issue, for rule absolute, and for a stay,

IT IS ORDERED by this Court that the said motion be, and it is hereby, denied.

Per Mr. Chief Justice Vinson.

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The Court will take a recess from Monday, January 17, until Thursday, January 20, at 11 A. M., and from that day to Monday, January 31, next.

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The United States,

Petitioner,

253 vs.

Penn Foundry and Manufacturing Company, Inc.

Argument continued by Mr. David G. Bress and by Mr. Robert H. McNeill for the respondent; by Mr. Melvin Richter for the petitioner; and concluded by Mr. David G. Bress for the respondent.

Alvin Krulewitch,

Petitioner,

143 vs.

The United States of America.

Argued by Mr. Jacob W. Friedman for the petitioner and by Mr. Robert W. Ginnane for the respondent.

Mrs. Marie Reynolds, who sues as the Administratrix of the estate of Hury O. Reynolds, deceased,

Petitioner,

234 vs.

Atlantic Coast Line Railroad Company, a corporation.

Argued by Mr. Kirkman Jackson for the petitioner and by Mr. Peyton D. Bibb for the respondent.

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Proclamation being made the Court is adjourned until tomorrow at 12 o'clock.

Pursuant to adjournment the Court met at the Supreme Court Building.

PRESENT:

The Honorable Fred M. Vinson, Chief Justice,
Hugo L. Black,
Stanley Reed,
Felix Frankfurter,
William O. Douglas,
Robert H. Jackson,
Wiley Rutledge,
Harold H. Burton. Associate Justices.

Thomas Ennalls Waggaman, Esquire, Marshal,

Charles Elmore Cropley, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. John Lenzie Rogers, It is ordered that Albert R. Rosenbaum, Esquire, of McLean, Commonwealth of Virginia, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. John T. Cahill, It is ordered that Harold F. Reindel, Esquire, of New York, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Roger S. Foster, It is ordered that Jerome C. Katzin, Esquire, of Chicago, State of Illinois, and Myer Feldman, Esquire, of Philadelphia, Commonwealth of Pennsylvania, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Clair L. Stout, It is ordered that Dwight H. Austin, Esquire, of Houston, State of Texas, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

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Federal Power Commission, et al.,

Petitioners,

109 vs.

Interstate Natural Gas Company, Incorporated, et al.;

Public Service Commission of the State of Missouri,

Petitioner,

188 vs.

Interstate Natural Gas Company, Incorporated, et al.;

Memphis Light, Gas & Water Division,

Petitioner,

209 vs.

Interstate Natural Gas Company, et al.; and

Illinois Commerce Commission, et al.,

Petitioners,

212 vs.

Interstate Natural Gas Company, et al.

Three hours allowed for oral argument. Argued by Mr. Bradford Ross for the Federal Power Commission; by Mr. John P. Randolph for Public Service Commission of Missouri; by Mr. William C. Wines for Illinois Commerce Commission; by Mr. John T. Cahill for Memphis Natural Gas Co.; by Mr. Forney Johnston for Southern Natural Gas Co.; by Mr. William A. Dougherty for Interstate Natural Gas Co., et al.; and case submitted by Mr. Charles C. Crabtree for Memphis Light, Gas and Water Division.

Ingram M. Stainbach, Governor of the Territory of Hawaii, et al.,

Appellants,

52 vs.

Mo Hock Ke Lok Po, an Eleemosynary Corporation, et al.

Argument commenced by Mr. Thomas W. Flynn for the appellants and continued by Mr. A. L. Wirin for the appellees.

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Pursuant to adjournment the Court met at the Supreme Court Building.

PRESENT:

The Honorable Fred M. Vinson, Chief Justice,
Hugo L. Black,
Stanley Reed,
Felix Frankfurter,
William O. Douglas, Associate Justices.
Robert H. Jackson,
Wiley Rutledge,
Harold H. Burton.
Thomas Ennalls Waggaman, Esquire, Marshal,
Charles Elmore Cropley, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. John J. Burns, It is ordered that Richard Joyce Smith, Esquire, of Southport, State of Connecticut, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Thomas Garrett Logan, It is ordered that Phelan H. Hunter, Esquire, of Tulsa, State of Oklahoma, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Edgar J. Goodrich, It is ordered that J. Howard Rossbach, Esquire, of New York, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Alfred Berman, It is ordered that Herbert L. Cobin, Esquire, of Wilmington, State of Delaware, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Nathan Siegel, It is ordered that Conrad G. Moffett, Esquire, of Philadelphia, Commonwealth of Pennsylvania, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

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Nannie Ellyson Pollard, et al.,

Petitioners,

450 vs.

Clayton Hawfield, et al.

ON CONSIDERATION of the motion of counsel for the respondents to extend the time within which to file brief opposing petition for writ of certiorari in the above entitled cause,

IT IS ORDERED by this Court that the time be, and it is hereby, extended to and including January 31, 1949.

Per Mr. Chief Justice Vinson.

Morrison T. Wade,

Petitioner,

453 vs.

The People of the State of Michigan.

ON CONSIDERATION of the motion of counsel for the respondent to extend the time within which to file brief opposing petition for writ of certiorari in the above entitled cause,

IT IS ORDERED by this Court that the time be, and it is hereby, extended to and including January 31, 1949.

Per Mr. Chief Justice Vinson.

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Ingram M. Stainback, Governor of the Territory of Hawaii, et al.,

Appellants,

52 vs.

Mo Hock Ke Lok Po, an Eleemosynary Corporation, et al.

Argument continued by Mr. A. L. Wirin and Mr. Wai Yuen Char for the appellees and concluded by Mr. Thomas W. Flynn for the appellants. Leave granted appellants to file reply brief within one week.

Securities and Exchange Commission,

Petitioner,

226 vs.

Central-Illinois Securities Corporation, et al.;

Thomas W. Streeter, et al.,

Petitioners,

227 vs.

Central-Illinois Securities Corporation, et al.;

The Home Insurance Company, et al.,

Petitioners,

243 vs.

Central-Illinois Securities Corporation, et al.; and

Central-Illinois Securities Corporation, et al.,

Petitioners,

266 vs.

Securities and Exchange Commission, et al.

Four hours allowed for oral argument. Argument commenced by Mr. Roger S. Foster for the Securities and Exchange Commission; by Mr. Lawrence R. Condon for Thomas W. Streeter, et al.; by Mr. Francis H. Scheetz for the Home Insurance Company, et al.; and by Mr. Louis Boehm for Lucille White, et al.

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Proclamation being made the Court is adjourned until tomorrow at 12 o'clock.

Pursuant to adjournment the Court met at the Supreme Court Building.

PRESENT:

The Honorable Fred M. Vinson, Chief Justice,
Hugo L. Black,
Stanley Reed,
Felix Frankfurter,
William O. Douglas,
Robert H. Jackson,
Wiley Rutledge,
Harold H. Burton. Associate Justices.

Thomas Ennalls Waggaman, Esquire, Marshal,

Charles Elmore Cropley, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. John J. O'Neil, It is ordered that John P. Doyle, Esquire, of White Plains, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. J. Howard Rossbach, It is ordered that Raymond L. Wise, Esquire, of New York, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Mervyn Russell Turk, It is ordered that Albert Blumberg, Esquire, of Chester, Commonwealth of Pennsylvania, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Walter F. Kaufman, It is ordered that William L. Hughes, Esquire, of Lancaster, Commonwealth of Pennsylvania, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Robert H. McNeill, It is ordered that Thomas R. Bryan, Esquire, of Wilkesboro, State of North Carolina, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. J. Raymond Hoover, It is ordered that Harry A. Bowen, Esquire, of Washington, District of Columbia, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Peter Hofstra, It is ordered that John S. Lacz, Esquire, of Paterson, State of New Jersey, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

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Gerhart Eisler,

Petitioner,

255 vs.

The United States of America.

ON CONSIDERATION of the motion of counsel for petitioner to postpone the argument of this case,

IT IS ORDERED by this Court that the said motion be, and it is hereby, granted and the argument is postponed to March 1, 1949.

Per Mr. Chief Justice Vinson.

J. S. Woods,

Petitioner,

465 vs.

Interstate Realty Company.

ON CONSIDERATION of the motion of counsel for the respondent to extend the time within which to file brief opposing petition for writ of certiorari in this case,

IT IS ORDERED by this Court that the time to file said brief be, and it is hereby, extended to and including February 1, 1949.

Per Mr. Chief Justice Vinson.

Bennett E. Meyers,

Petitioner,

467 vs.

The United States of America.

ON CONSIDERATION of the motion of counsel for the respondent to extend the time within which to file brief opposing petition for writ of certiorari in this case,

IT IS ORDERED by this Court that the time to file said brief be, and it is hereby, extended to and including January 28, 1949.

Per Mr. Chief Justice Vinson.

Lawrence C. Kingsland, Commissioner of Patents,

Petitioner,

504 vs.

Barron-Gray Packing Company.

ON CONSIDERATION of the motion of counsel for the petitioner to extend the time for making service of petition for certiorari, brief, and record in this case,

IT IS ORDERED by this Court that the time be, and it is hereby, extended to a date which is not later than 15 days after the giving of notice by the Clerk of this Court to counsel for petitioner that the printed record has been delivered to such Clerk.

Per Mr. Chief Justice Vinson.

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Securities and Exchange Commission,

Petitioner,

226 vs.

Central-Illinois Securities Corporation, et al.;

Thomas W. Streeter, et al.,

Petitioners,

227 vs.

Central-Illinois Securities Corporation, et al.;

The Home Insurance Company, et al.,

Petitioners,

243 vs.

Central-Illinois Securities Corporation, et al.; and

Central-Illinois Securities Corporation, et al.,

Petitioners,

266 vs.

Securities and Exchange Commission, et al.

Argument continued by Mr. Alfred Berman for Central-Illinois Securities Corporation, et al. and concluded by Mr. Roger S. Foster for the Securities and Exchange Commission.

United States of America, ex rel. Harold E. Hirshberg,

Petitioner,

231 vs.

Captain William R. Cooke, Jr., United States Navy, etc.

Argued by Mr. John J. O'Neil for the petitioner and by Mr. Peyton Ford for the respondent.

Interstate Oil Pipe Line Company,

Appellant,

287 vs.

A. H. Stone, Chairman State Tax Commission.

Argued by Mr. Phelan H. Hunter for the appellant and by Mr. J. H. Sumrall for the appellee.

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Proclamation being made the Court is adjourned until tomorrow at 12 o'clock.

FRIDAY, JANUARY 14, 1949.

Pursuant to adjournment the Court met at the Supreme Court Building.

PRESENT:

The Honorable Fred M. Vinson, Chief Justice,
Hugo L. Black,
Stanley Reed,
Felix Frankfurter,
William O. Douglas,
Robert H. Jackson,
Wiley Rutledge,
Harold H. Burton,
Associate Justices.

Thomas Ennalls Waggaman, Esquire, Marshal,

Charles Elmore Cropley, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Myron Scott, It is ordered that G. Lester W. Curry, Esquire, of New York, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. R. A. Van Orsdel, It is ordered that Frank Quigley, Esquire, of Washington, District of Columbia, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Julian C. Tepper, It is ordered that Walter R. Hart, Esquire, of New York, State of New York; Burton S. Cooper, Esquire, of New York, State of New York; and Bernard Shatzkin, Esquire, of New York, State of New York, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Jerome Harvey Simonds, It is ordered that Theodore Miller, Esquire, of New York, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. William Caverly, It is ordered that Joseph S. Iseman, Esquire, of New York, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. George Baillie Springston, It is ordered that Charles C. Young, Esquire, of Denver, State of Colorado, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Henry P. Crawford, It is ordered that Anyda Marchant, of Arlington, Commonwealth of Virginia, be admitted to practice as an Attorney and Counsellor of this Court, and she was sworn accordingly. (Miss)

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Sam Zimmerman,

Petitioner,

429 vs.

State of Maryland.

Argued by Mr. J. Cookman Boyd, Jr., for the petitioner and by Mr. Hall Hammond for the respondent.

William Farrell,

Petitioner,

267 vs.

United States of America, et al.

Argument commenced by Mr. Myron Scott for the petitioner; continued by Mr. Newell A. Clapp for the respondent, and concluded by Mr. Silas Blake Axtell for the petitioner.

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Proclamation being made the Court is adjourned until Monday, January 17, next, at 12 o'clock.

MONDAY, JANUARY 17, 1949.

Pursuant to adjournment the Court met at the Supreme Court Building.

PRESENT:

The Honorable Fred M. Vinson, Chief Justice,
Hugo L. Black,
Stanley Reed,
Felix Frankfurter,
William O. Douglas,
Robert H. Jackson,
Wiley Rutledge,
Harold H. Burton,
Associate Justices.

Thomas Ennalls Waggaman, Esquire, Marshal,

Charles Elmore Cropley, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Solicitor General Philip B. Perlman, It is ordered that William Nicholas Hensley, Esquire, of San Antonio, State of Texas, and Emmett J. Rahm, Esquire, of San Antonio, State of Texas, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Elmore Whitehurst, It is ordered that Haskell H. Cooper, Esquire, of Dallas, State of Texas, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Jas. C. Davis, It is ordered that Wesley Robert Asinof, Esquire, of Atlanta, State of Georgia, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Wayne Lyman Morse, It is ordered that Emerson Urquhart Sims, Esquire, of Portland, State of Oregon, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Percy H. Russell, Jr., It is ordered that William Simon, Esquire, of Chicago, State of Illinois, and Hugh Joseph Graham, Jr., Esquire, of Springfield, State of Illinois, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Hale Boggs, It is ordered that Rudolph O. Vorbusch, Esquire, of New Orleans, State of Louisiana, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Clifford J. Durr, It is ordered that J. Broughton Lamberth, Esquire, of Alexander City, State of Alabama; Files Crenshaw, Esquire, of Montgomery, State of Alabama; and Jerome Phillips, Esquire, of Birmingham, State of Alabama, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Peter Campbell Brown, It is ordered that John J. Dixson, Esquire, of New York, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Dow W. Harter, It is ordered that E. Snow Martin, Esquire, of Lakeland, State of Florida, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Herbert W. Gediman, It is ordered that Noah M. Gediman, Esquire, of Falmouth, Commonwealth of Massachusetts, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

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Commissioner of Internal Revenue, Petitioner, vs. Lewis P. Jacobson. On writ of certiorari to the United States Court of Appeals for the Seventh Circuit.

32

THIS CAUSE came on to be heard on the transcript of the record from the United States Court of Appeals for the Seventh Circuit, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is now here ordered and adjudged by this Court that the judgment of the said United States Court of Appeals, in this cause, be, and the same is hereby, reversed; and that this cause be, and the same is hereby, remanded to the said Court of Appeals for further action in accordance with the opinion of this Court.

Per Mr. Justice Burton.

Dissenting opinion by Mr. Justice Reed in which Mr. Justice Douglas joins.

Commissioner of Internal Revenue, Petitioner, vs. Lewis F. Jacobson. On writ of certiorari to the United States Court of Appeals for the Seventh Circuit.

33

THIS CAUSE came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Seventh Circuit, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is now here ordered and adjudged by this Court that the judgment of the said United States Court of Appeals, in this cause, be, and the same is hereby, reversed; and that this cause be, and the same is hereby, remanded to the said Court of Appeals for further action in accordance with the opinion of this Court.

Per Mr. Justice Burton.

Dissenting opinion by Mr. Justice Reed in which Mr. Justice Douglas joins.

Nathan D. Leiman and Samuel Marion, Petitioners, vs. Alexander Guttman, George Geller and Arthur Bainton, etc., et al. — On writ of certiorari to the Court of Appeals of the State of New York.

88

THIS CAUSE came on to be heard on the transcript of the record from the Court of Appeals of the State of New York, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is ordered and adjudged by this Court that the judgment of the said Court of Appeals, in this cause, be, and the same is hereby, affirmed with costs.

Per Mr. Justice Douglas.

Opinion by Mr. Justice Jackson dissenting in part in which the Chief Justice and Mr. Justice Frankfurter join.

La Crosse Telephone Corporation, Appellant, vs. Wisconsin Employment Relations Board, L. E. Goodwin, Henry Rule and J. E. Fitzgibbon, as Members of the Wisconsin Employment Relations Board. — Appeal from the Supreme Court of the State of Wisconsin.

38

THIS CAUSE came on to be heard on the transcript of the record from the Supreme Court of the State of Wisconsin, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court, in this cause, be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the Supreme Court for proceedings not inconsistent with the opinion of this Court.

Per Mr. Justice Douglas.

International Brotherhood of Electrical Workers, Local B-953, A. F. of L.,

Appellant,

39 vs.

Wisconsin Employment Relations Board, L. E. Gooding, Henry Rule and J. E. Fitzgibbon, as Members of the Wisconsin Employment Relations Board.

Appeal from the Supreme Court of the State of Wisconsin.

THIS CAUSE came on to be heard on the transcript of the record from the Supreme Court of the State of Wisconsin, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court, in this cause, be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the Supreme Court for proceedings not inconsistent with the opinion of this Court.

Per Mr. Justice Douglas.

August Klapprott,

Petitioner,

42 vs.

The United States of America.

On writ of certiorari to the United States Court of Appeals for the Third Circuit.

THIS CAUSE came on to be heard on the transcript of the record from the United States Court of Appeals for the Third Circuit, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is ordered and adjudged by this Court that the judgment of the Court of Appeals and the judgment of the District Court, in this cause, be, and they are hereby, reversed.

IT IS FURTHER ORDERED that this cause be, and the same is hereby, remanded to the United States District Court for the District of New Jersey with instructions to set aside the judgment by default and grant the petitioner a hearing on the merits raised by the denaturalization complaint.

Per Mr. Justice Black.

Mr. Justice Black, Mr. Justice Douglas, Mr. Justice Murphy, Mr. Justice Rutledge, and Mr. Justice Burton agree that the District Court erred in dismissing the petition to set aside the default judgment, and that the Court of Appeals erred in affirming the District Court judgment.

Concurring statement by Mr. Justice Burton.

Opinion by Mr. Justice Rutledge concurring in the result in which Mr. Justice Murphy joins.

Dissenting opinion by Mr. Justice Reed in which the Chief Justice and Mr. Justice Jackson join.

Dissenting opinion by Mr. Justice Frankfurter.

(On April 4, 1949 an order was entered amending this judgment. See minutes for that day.)

Commissioner of Internal Revenue,

Petitioner,

5 vs.

Estate of Francois L. Church, Deceased, Edward E. Black, Executor.

On writ of certiorari to the United States Court of Appeals for the Third Circuit.

THIS CAUSE came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Third Circuit, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is now here ordered and adjudged by this Court that the judgment of the said United States Court of Appeals, in this cause, be, and the same is hereby, reversed; and that this cause be, and the same is hereby, remanded to the said Court of Appeals for proceedings in conformity with the opinion of this Court.

Per Mr. Justice Black.

Mr. Justice Jackson concurs in the result.

Dissenting opinion by Mr. Justice Reed.
Dissenting opinion by Mr. Justice Frankfurter.
Dissenting opinion by Mr. Justice Burton.

Estate of Sidney M. Spiegel, Deceased, Katherine J. Spiegel and Robert Michels, Surviving Executors Under the Last Will and Testament of Sidney M. Spiegel, Deceased,

Petitioners,

3 vs.

Commissioner of Internal Revenue.

On writ of certiorari to the United States Court of Appeals for the Seventh Circuit.

THIS CAUSE came on to be heard on the transcript of the record from the United States Court of Appeals for the Seventh Circuit, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is now here ordered and adjudged by this Court that the judgment of the said United States Court of Appeals, in this cause, be, and the same is hereby, affirmed; and that this cause be, and the same is hereby, remanded to the said Court of Appeals.

Per Mr. Justice Black.

Dissenting: Mr. Justice Jackson.
Concurring opinion by Mr. Justice Reed.
Dissenting opinion by Mr. Justice Frankfurter.
Dissenting opinion by Mr. Justice Burton.

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The Chief Justice said:

"The orders of the Court appear upon the list certified by the Chief Justice and filed with the clerk and will not be announced orally."

The United States,

Petitioner,

132 vs.

Richard S. Cors.

ON CONSIDERATION of a suggestion by the respondent of a diminution of the record in this case and motion for writ of certiorari in that regard,

IT IS ORDERED by this Court that the said motion for a writ of certiorari be, and it is hereby, denied.

Per Mr. Chief Justice Vinson.

United Steelworkers of America, et al., Order allowing certiorari.

Petitioners,

431 vs.

National Labor Relations Board.

The petition herein for a writ of certiorari to the United States Court of Appeals for the Seventh Circuit is granted, and the case is assigned for argument immediately following No. 336.

And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

Tom C. Clark, Attorney General, as Successor to the Alien Property Custodian,

Petitioner,

386 vs.

Manufacturers Trust Company.

On petition for writ of certiorari to the United States Court of Appeals for the Second Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Second Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Manufacturers Trust Company,

Petitioner,

443 vs.

Tom C. Clark, Attorney General, as Successor to the Alien Property Custodian.

On petition for writ of certiorari to the United States Court of Appeals for the Second Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Second Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

World Publishing Company,

Petitioner,

426 vs.

The United States of America.

On petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Tenth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

E. E. Swalley,

Petitioner,

432 vs.

Addressograph-Multigraph Corporation.

On petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Seventh Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Pueblo Trading Co.,

Petitioner,

444 vs.

El Camino Irrigation District (a Public Corporation), et al.

On petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Ninth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Borg-Warner Corporation and David E. Gamble,

Petitioners,

449 vs.

George I. Goodwin.

On petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Sixth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Catherine Bowcott and Edna Woodcock,
Petitioners,
451 vs.
The United States of America.

On petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Seventh Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Anibal Monagas Y De La Rosa, et al., Heirs, etc., et al.,
Petitioners,
461 vs.
Neftali Vidal-Garrastazu.

On petition for writ of certiorari to the United States Court of Appeals for the First Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the First Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Universal Oil Products Company,
Petitioner,
439 vs.
William Whitman Company, Inc.;

Universal Oil Products Company,
Petitioner,
440 vs.
William Whitman Company, Inc.; and

American Safety Table Company,

Petitioner,

441 vs.

Singer Sewing Machine Company.

ON CONSIDERATION of the motions to dispense with the printing of the record in these cases,

IT IS ORDERED by this Court that the said motions be, and they are hereby, granted.

Per Mr. Chief Justice Vinson.

Universal Oil Products Company,

Petitioner,

439 vs.

William Whitman Company, Inc.

On petition for writ of certiorari to the United States Court of Appeals for the Third Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Third Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Universal Oil Products Company,

Petitioner,

440 vs.

William Whitman Company, Inc.

On petition for writ of certiorari to the United States Court of Appeals for the Third Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Third Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

American Safety Table Company,

Petitioner,

441 vs.

Singer Sewing Machine Company.

On petition for writ of certiorari to the United States Court of Appeals for the Third Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Third Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Watchtower Bible and Tract Society, Inc., et al.,

Petitioners,

187 vs.

Metropolitan Life Insurance Company.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Dan Leroy Hall,

Appellant,

400 vs.

Commonwealth of Virginia.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Trico Products Corporation,

Petitioner,

410 vs.

George T. McGowan, Collector of Internal Revenue for the 28th District of New York.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Louis Burrall,

Petitioner,

226, Misc. vs.

E. B. Swope, Warden.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Sherman Williams,

Petitioner,

237, Misc. vs.

United Mine Workers of America.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Ex parte Louisiana Farmers Protective Union, Inc.,

279, Misc. Petitioner.

ON CONSIDERATION of the motion for an extension of time within which to file a petition for rehearing in this case,

IT IS ORDERED by this Court that the said motion be, and it is hereby, denied.

Per Mr. Chief Justice Vinson.

Martin J. Bernards and Lena Bernards,

Petitioners,

2 O.T. '41 vs.

M. R. Johnson, et al.

ON CONSIDERATION of the motion to recall the mandate of this Court in this case,

IT IS ORDERED by this Court that the said motion be, and it is hereby, denied.

Per Mr. Chief Justice Vinson.

Albert Marcus,

Petitioner,

275, Misc. vs.

R. H. Hudspeth, Warden.

On petition for writ of certiorari to the Supreme Court of the State of Kansas.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of Kansas, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Edmond L. Viles,

Petitioner,

287, Misc. vs.

Mead R. Johnson.

On petition for writ of certiorari to the Supreme Court of the State of Colorado.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of Colorado, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Ervin Galloway,

Petitioner,

289, Misc. vs.

Ben B. Stewart, Warden.

On petition for writ of certiorari to the Supreme Court of the State of Missouri.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of Missouri, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Kenneth Pardee,

Petitioner,

285, Misc. vs.

State of Michigan.

ON CONSIDERATION of the motion for leave to file a petition for writ of habeas corpus herein,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Edward McCray,

Petitioner,

299, Misc. vs.

Leroy Wright, Warden.

ON CONSIDERATION of the motion for leave to file a petition for writ of habeas corpus herein,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Joseph Poresky,

Petitioner,

310, Misc. vs.

Rudolph F. King.

ON CONSIDERATION of the application submitted herein by Joseph Poresky,

IT IS ORDERED by this Court that the said application be, and it is hereby, denied.

Per Mr. Chief Justice Vinson.

Richardson Anderson Lowe,

Petitioner,

312, Misc. vs.

George D. Killinger.

ON CONSIDERATION of the application submitted herein by Richardson Anderson Lowe,

IT IS ORDERED by this Court that the said application be, and it is hereby, denied.

Per Mr. Chief Justice Vinson.

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City of Omaha, a Municipal Corporation,
Charles W. Leeman, Mayor, et al.,

Petitioners,

507 vs.

Frank Brothers Footwear, Inc.

ON CONSIDERATION of the motion to extend the time to make service of petition, brief, and record in this case,

IT IS ORDERED by this Court that the time be, and it is hereby, extended to a date which is not later than 10 days after the giving of notice by the Clerk of this Court to counsel for the petitioners that the printed record has been delivered to such Clerk.

Per Mr. Chief Justice Vinson.

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Proclamation being made the Court is adjourned until Thursday, January 20, at 11 o'clock.

Pursuant to adjournment the Court met at the Supreme Court Building.

PRESENT:

The Honorable Fred M. Vinson, Chief Justice,
Hugo L. Black,
Stanley Reed,
Felix Frankfurter,
William O. Douglas,
Frank Murphy, Associate Justices.
Robert H. Jackson,
Wiley Rutledge,
Harold H. Burton.
Thomas Ennalls Waggaman, Esquire, Marshal,
Charles Elmore Cropley, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. William E. Jenner, It is ordered that Manuel J. Sugar, Esquire, of Chicago, State of Illinois, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Paul J. Kilday, It is ordered that Jack Caldwell Hebdon, Esquire, of San Antonio, State of Texas; Walter P. Brenan, Esquire, of San Antonio, State of Texas; Adrian A. Spears, Esquire, of San Antonio, State of Texas; and Bond Davis, Esquire, of San Antonio, State of Texas, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Morgan M. Moulder, It is ordered that Ralph H. Duggins, Esquire, of Marshall, State of Missouri; John K. Hulston, Esquire, of Springfield, State of Missouri; Ralph P. Johnson, Esquire, of Osceola, State of Missouri; and Charles L. Bacon, Esquire, of Marshall, State of Missouri, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. John E. Lyle, Jr., It is ordered that Clifford Swearingen, Esquire, of Corpus Christi State of Texas; Warren B. Phillips, Esquire, of Corpus Christi, State of Texas; and Joseph S. Levy, Esquire, of Kansas City, State of Missouri, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Abraham J. Multer, It is ordered that Louis L. Friedman, Esquire, of Brooklyn, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. John J. Allen, Jr., It is ordered that Paul E. Sloane, Esquire, of San Francisco, State of California, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Albert L. Cox, It is ordered that Harold Dunbar Cooley, Esquire, of Nashville, State of North Carolina; Hubert Elwood May, Esquire, of Nashville, State of North Carolina; James J. Boyle, Esquire, of Hubbard, State of Ohio; and Francis W. Durbin, Esquire, of Lima, State of Ohio, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Barnet. Hodes, It is ordered that John S. Hoyle, Esquire, of Chicago, State of Illinois, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. William Howard Payne, It is ordered that Durward F. Mathis, Esquire, of Lawton, State of Oklahoma, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. H. Russell Bishop, It is ordered that John H. MacVey, Esquire, of Washington, District of Columbia, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Ernst L. Wilkinson, It is ordered that Grant Macfarlane, Esquire, of Salt Lake City, State of Utah, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Robert E. Lambert, It is ordered that Edward V. Long, Esquire, of Bowling Green, State of Missouri, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Nicholas J. Chase, It is ordered that Robert Patrick Russell, Esquire, of Milwaukee, State of Wisconsin, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

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The Court took a recess for the purpose of attending the inauguration of the President of the United States.

The oath of office was administered to the Honorable Alben W. Barkley as Vice President of the United States by Mr. Justice Stanley Reed.

The oath of office was administered to the Honorable Harry S. Truman as President of the United States by the Chief Justice, and the Court reconvened.

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Proclamation being made the Court is adjourned until Monday, January 31, next, at 12 o'clock.

MONDAY, JANUARY 31, 1940.

Pursuant to adjournment the Court met at the Supreme Court Building.

PRESENT:

The Honorable Fred M. Vinson, Chief Justice,
Hugo L. Black,
Stanley Reed,
Felix Frankfurter,
William O. Douglas,
Frank Murphy,
Robert H. Jackson,
Wiley Rutledge,
Harold H. Burton. Associate Justices.
Thomas Ennalls Waggaman, Esquire, Marshal,
Charles Elmore Cropley, Clerk,

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Solicitor General Philip B. Perlman, It is ordered that L. Louis Marton, Esquire, of Chicago, State of Illinois; Sydney R. Drobin, Esquire, of Chicago, State of Illinois; Harry A. Iseberg, Esquire, of Chicago, State of Illinois; Wilbur L. Fugate, Esquire, of Charleston, State of West Virginia; and William Perry Epes, Esquire, of Alexandria, Commonwealth of Virginia, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Ralph Williams, It is ordered that Samuel Y. Austin, Jr., Esquire, of Waynesboro, Commonwealth of Virginia, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Wayne Lyman Morse, It is ordered that James Landye, Esquire, of Portland, State of Oregon, and Thomas J. White, Esquire, of Portland, State of Oregon, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Thurgood Marshall, It is ordered that Franklin H. Williams, Esquire, of New York, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. George A. Dondero, It is ordered that H. Eugene Field, Esquire, of Royal Oak, State of Michigan, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. James I. Dolliver, It is ordered that Curtis Bush, Esquire, of Davenport, State of Iowa, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Cecil A. Morgan, It is ordered that Henry Leo Brewster, Esquire, of Fort Worth, State of Texas, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Miles H. Knowles, It is ordered that Stanley C. Barker, Esquire, of Detroit, State of Michigan, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Roy St. Lewis, It is ordered that B. C. Franklin, Esquire, of Tulsa, State of Oklahoma, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. George A. Hospidor, It is ordered that Emrys J. Ross, Esquire, of Pasadena, State of California, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Philip B. Kurland, It is ordered that James J. Leff, Esquire, of New York, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Tom Pickett, It is ordered that John C. Box, Jr., Esquire, of Jacksonville, State of Texas, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Hyman Jacob Cohen, It is ordered that Abraham Robbins, Esquire, of New York, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Irving Geiger, It is ordered that Paul R. Marmel, Esquire, of Washington, District of Columbia, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Philip Elman, It is ordered that Harry K. Mansfield, Esquire, of Boston, Commonwealth of Massachusetts, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

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George T. Goggin, Trustee in Bankruptcy of the Estate of Kessco Engineering Corporation,

Petitioner,

vs.

Division of Labor Law Enforcement, State of California, Statutory Assignee of Certain Prior Wage Claimants.

On writ of certiorari to the United States Court of Appeals for the Ninth Circuit.

35

THIS CAUSE came on to be heard on the transcript of the record from the United States Court of Appeals for the Ninth Circuit, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is now here ordered and adjudged by this Court that the judgment of the said United States Court of Appeals, in this cause, be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the United States District Court for the Southern District of California for proceedings in conformity with the opinion of this Court.

Per Mr. Justice Burton.

Railway Express Agency, Inc., Charles Gerchario, Michael Long, et al.,

Appellants,

51 vs.

People of the State of New York.

Appeal from the Court of Appeals of the State of New York.

THIS CAUSE came on to be heard on the transcript of the record from the Court of Appeals of the State of New York, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is now here ordered and adjudged by this Court that the judgment of the said Court of Appeals, in this cause, be, and the same is hereby, affirmed with costs.

Per Mr. Justice Douglas.

Concurring opinion by Mr. Justice Jackson.

Charles Kovacs,

Appellant,

9 vs.

Albert Cooper, Jr., Judge of the First District Police Court of Trenton.

Appeal from the Court of Errors and Appeals of the State of New Jersey.

THIS CAUSE came on to be heard on the transcript of the record from the Court of Errors and Appeals of the State of New Jersey, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is now here ordered and adjudged by this Court that the judgment of the said Court of Errors and Appeals, in this cause, be, and the same is hereby, affirmed with costs.

Per Mr. Justice Reed.

Concurring opinion by Mr. Justice Frankfurter.
Concurring opinion by Mr. Justice Jackson.
Dissenting: Mr. Justice Murphy.
Dissenting opinion by Mr. Justice Black in which Mr. Justice Douglas and Mr. Justice Rutledge concur.
Dissenting opinion by Mr. Justice Rutledge.

Clyde Wilkerson,

Petitioner,

53 vs.

Wilson McCarthy and Henry Swan, as Trustees of the Denver and Rio Grande Western Railroad Company.

On writ of certiorari to the Supreme Court of the State of Utah.

THIS CAUSE came on to be heard on the transcript of the record from the Supreme Court of the State of Utah, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is ordered and adjudged by this Court that the judgment of the said Supreme Court, in this cause, be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the said Supreme Court for further action not inconsistent with the opinion of this Court.

Per Mr. Justice Black.

Concurring opinion by Mr. Justice Frankfurter. Mr. Justice Burton, having concurred in the Court's opinion, also joins in the opinion of Mr. Justice Frankfurter.

Concurring opinion by Mr. Justice Douglas in which Mr. Justice Murphy and Mr. Justice Rutledge join.

Dissenting opinion by Mr. Chief Justice Vinson.
Dissenting opinion by Mr. Justice Jackson.

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The Chief Justice announced the following order of the Court:

Sam Zimmerman,

Petitioner,

429 vs.

State of Maryland.

On writ of certiorari to the Court of Appeals of the State of Maryland.

THIS CAUSE came on to be heard on the transcript of the record from the Court of Appeals of the State of Maryland, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is ordered and adjudged by this Court that the judgment of the said Court of Appeals, in this cause, be, and the same is hereby, affirmed.

Per Mr. Chief Justice Vinson.

Dissenting: Mr. Justice Black, Mr. Justice Douglas, and Mr. Justice Rutledge.

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The Chief Justice said:

"The other orders of the Court appear upon the list certified by the Chief Justice and filed with the clerk and will not be announced orally."

Arthur Terminiello,

Petitioner,

272 vs.

City of Chicago.

ON CONSIDERATION of the motions of the American Jewish Congress and American Civil Liberties Union for leave to file briefs as amici curiae in this case,

IT IS ORDERED by this Court that the said motions be, and they are hereby, granted.

Per Mr. Chief Justice Vinson.

The Union National Bank of Wichita, Kansas,

Appellant,

500 vs.

Carl C. Lamb.

The statement of jurisdiction in this case having been submitted and considered by the Court, further consideration of the question of the jurisdiction of this Court is postponed to the hearing of the case on the merits. Counsel are requested to discuss on briefs and oral argument the question whether the application for appeal was timely.

Per Mr. Chief Justice Vinson.

Clayton Mark & Company, Enameled Metals Company, Fretz-Moon Tube Company, Inc., et al.,

Order allowing certiorari.

Petitioners,

464 vs.

Federal Trade Commission.

The petition herein for a writ of certiorari to the United States Court of Appeals for the Seventh Circuit is granted.

And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

Estate of Florence Althea Gibb, Deceased, et al., Executors,
Petitioners,
170 vs.
Commissioner of Internal Revenue.

On petition for writ of certiorari to the United States Court of Appeals for the Second Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Second Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Fulton Iron Company, a Corporation,
Petitioner,
438 vs.
Jess Larson, as War Assets Administrator and Surplus Property Administrator.

On petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the District of Columbia Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

King David and William Talmadge Spears,
Petitioners,
445 vs.
George A. Sutton, Executor of the Estate of Dr. Mansfield L. Spears, Deceased, et al.

On petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Sixth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Worcester Woolen Mills Corporation,
Petitioner,
454 vs.
National Labor Relations Board.

On petition for writ of certiorari to the United States Court of Appeals for the First Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the First Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Laurie J. Carpenter,
Petitioner,
458 vs.
Rohm and Haas Co., Inc.

On petition for writ of certiorari to the United States Court of Appeals for the Third Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Third Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Laurie J. Carpenter,
Petitioner,
459 vs.
Erie Railroad Company.

On petition for writ of certiorari to the United States Court of Appeals for the Second Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Second Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

William J. Cleary,
Petitioner,
460 vs.
Chicago Title and Trust Company.

On petition for writ of certiorari to the Supreme Court of the State of Illinois.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of Illinois, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Frank C. Gierens and Nikolas J. Forencak, Petitioners,
462 vs.
People of the State of Illinois.

On petition for writ of certiorari to the Supreme Court of the State of Illinois.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of Illinois, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Wabash Railroad Company, Petitioner,
463 vs.
The Honorable Richard M. Duncan, a Judge of the United States District Court for the Western District of Missouri.

On petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Eighth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Coke R. Stevenson, Petitioner,
466 vs.
Lyndon B. Johnson, et al.

On petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Fifth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Atty M. Jackson,

Petitioner,

469 vs.

Burr Lambert.

On petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Seventh Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Eugene V. Hensley, James W. Hensley, United Sales Company, et al.,

Petitioners,

470 vs.

The United States of America.

On petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Ninth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Jack L. Marris and B. T. Calhoun, Doing Business as Co-Partners Under the Trade Name of H-C Products Company,

Petitioners,

489 vs.

National Machine Works, Inc., and Theodore C. Gerner.

On petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Tenth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Charles C. Patterson,

Petitioner,

456 vs.

J. B. Gray.

ON CONSIDERATION of the motion to dispense with the printing of the petition and record in this case,

IT IS ORDERED by this Court that the said motion be, and it is hereby, granted.

Per Mr. Chief Justice Vinson.

Charles C. Patterson, Petitioner, 456 vs. J. B. Gray.

On petition for writ of certiorari to the Supreme Court of Appeals of the Commonwealth of Virginia.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of Appeals of the Commonwealth of Virginia, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Robert Frazier,

Petitioner,

44 vs.

The United States of America.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Leo Grant Kissinger,

Petitioner,

171, Misc. vs.

The United States of America.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

John Jackson,

Petitioner,

272, Misc. vs.

State of Georgia.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

M. B. Houghton,

Petitioner,

274, Misc. vs.

R. H. Hudspeth, Warden.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Lester Sim Exkano, Petitioner, 183, Misc. vs. W. H. Hiatt, Warden. On petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Fifth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Samuel F. Adams, Petitioner, 196, Misc. vs. W. H. Hiatt, Warden. On petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Fifth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

James Russell Hawthorne, Petitioner, 205, Misc. vs. The United States of America. On petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Sixth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Charles Cuckovich, et al., Petitioners,
211, Misc. vs.
The United States.

On petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Sixth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Walter Spicher, Petitioner,
280, Misc. vs.
Joseph E. Ragen, Warden.

On petition for writ of certiorari to the Circuit Court of Knox County of the State of Illinois.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Circuit Court of Knox County of the State of Illinois, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Frank Jordan, Petitioner,
281, Misc. vs.
Joseph E. Ragen, Warden.

On petition for writ of certiorari to the Circuit Court of Will County of the State of Illinois.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Circuit Court of Will County of the State of Illinois, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Walter Burns,

Petitioner,

288, Misc. vs.

Joseph E. Ragen, Warden.

On petition for writ of certiorari to the Circuit Court of Will County of the State of Illinois.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Circuit Court of Will County of the State of Illinois, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

George E. Hickman, as Administrator of the Estate of Norman E. Hickman, Deceased,

Petitioner,

292, Misc. vs.

John M. Taylor, et al.

On petition for writ of certiorari to the United States Court of Appeals for the Third Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Third Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Walter Spicher,

Petitioner,

293, Misc. vs.

Joseph E. Ragen, Warden.

On petition for writ of certiorari to the Supreme Court of the State of Illinois.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of Illinois, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

United States of America, ex rel. Harry Holderfield,

Petitioner,

295, Misc. vs.

Joseph E. Ragen, Warden.

On petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Seventh Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

George Richard Oaks,

Petitioner,

296, Misc. vs.

R. H. Hudspeth, Warden.

On petition for writ of certiorari to the Supreme Court of the State of Kansas.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of Kansas, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Norman C. Allen,

Petitioner,

297, Misc. vs.

R. H. Hudspeth, Warden.

On petition for writ of certiorari to the Supreme Court of the State of Kansas.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of Kansas, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Geo. E. Dunkle,
Petitioner,
303, Misc. vs.
People of the State of Illinois.

On petition for writ of certiorari to the Circuit Court of Peoria County of the State of Illinois.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Circuit Court of Peoria County of the State of Illinois, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Woodrow Burnett,
Petitioner,
313, Misc. vs.
Ben B. Stewart, Warden.

On petition for writ of certiorari to the Supreme Court of the State of Missouri.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of Missouri, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Guy G. Ormsby,
Petitioner,
314, Misc. vs.
State of Missouri.

On petition for writ of certiorari to the Supreme Court of the State of Missouri.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of Missouri, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

George William Bailey, Petitioner, vs. Ben Stewart, Warden. — On petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit.

516, Misc.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Eighth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

William De Loyd Bevelhymer, Petitioner, vs. R. H. Hudspeth, Warden. — On petition for writ of certiorari to the Supreme Court of the State of Kansas.

325, Misc.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of Kansas, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

B. A. Pyle, Petitioner, vs. R. H. Hudspeth, Warden. — On petition for writ of certiorari to the Supreme Court of the State of Kansas.

328, Misc.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of Kansas, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Ida May Talbot,
Petitioner,
333, Misc. vs.
City of Pasadena, et al.

On petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Ninth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

John E. Gawron,
Petitioner,
336, Misc. vs.
Joseph E. Ragen, Warden.

On petition for writ of certiorari to the Supreme Court of the State of Illinois.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of Illinois, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Albert House,
Petitioner,
298, Misc. vs.
Nathan Mayo, as Custodian of the Florida State Prison.

On petition for writ of certiorari to the Supreme Court of the State of Florida.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of Florida, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Albert House,

Petitioner,

298, Misc. vs.

Nathan Mayo, as Custodian of the Florida State Prison.

ON CONSIDERATION of the motion for leave to file a petition for writ of habeas corpus herein,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

In the Matter of Albert Woodrow Rash,

300, Misc. Petitioner.

ON CONSIDERATION of the motion for leave to file a petition for writ of mandamus herein,

IT IS ORDERED by this Court that the said motion be, and it is hereby, denied.

Per Mr. Chief Justice Vinson.

Bernard M. Shotkin,

Petitioner,

301, Misc. vs.

Westinghouse Electric & Manufacturing Co., et al.

ON CONSIDERATION of the application submitted herein by Bernard M. Shotkin,

IT IS ORDERED by this Court that the said application be, and it is hereby, denied.

Per Mr. Chief Justice Vinson.

Wallace Phillips,

Petitioner,

308, Misc. vs.

Joseph E. Ragen, Warden.

ON CONSIDERATION of the motion of petitioner to withdraw the motion for leave to file petition for writ of certiorari in this case,

IT IS ORDERED by this Court that the said motion for leave to withdraw be, and it is hereby, granted.

Per Mr. Chief Justice Vinson.

Donald Armstrong,

Petitioner,

311, Misc. vs.

Ralph Howard, Warden.

ON CONSIDERATION of the motion for leave to file a petition for writ of habeas corpus herein,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Roy Grigsby,

Petitioner,

319, Misc. vs.

Hon. Luther M. Swygert.

ON CONSIDERATION of the motion for leave to file a petition for writ of mandamus herein,

IT IS ORDERED by this Court that the said motion be, and it is hereby, denied.

Per Mr. Chief Justice Vinson.

In the Matter of Canadian River Gas Co.,

327, Misc. Petitioner.

ON CONSIDERATION of the motion for leave to file a petition for writ of mandamus herein,

IT IS ORDERED by this Court that the said motion be, and it is hereby, denied.

Per Mr. Chief Justice Vinson.

Louis Burall,

Petitioner,

329, Misc. vs.

Tom C. Clark, Attorney General.

ON CONSIDERATION of the petition for injunction submitted by Louis Burall,

IT IS ORDERED by this Court that the said petition be, and it is hereby, denied.

Per Mr. Chief Justice Vinson.

Kelly Moss,

Petitioner,

331, Misc. vs.

Hon. Luther Swygert, District Judge.

ON CONSIDERATION of the motion for leave to file a petition for writ of mandamus herein,

IT IS ORDERED by this Court that the said motion be, and it is hereby, denied.

Per Mr. Chief Justice Vinson.

In the Matter of Charles E. McAdam,

334, Misc. Petitioner.

ON CONSIDERATION of the motion for leave to file a petition for writ of habeas corpus herein,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Howard O. Bonham,

Petitioner,

335, Misc. vs.

Joseph E. Ragen, Warden.

ON CONSIDERATION of the motion for leave to file a petition for writ of certiorari in this case,

IT IS ORDERED by this Court that the said motion be, and it is hereby, denied.

Per Mr. Chief Justice Vinson.

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National Labor Relations Board,

Petitioner,

197 vs.

Crompton-Highland Mills, Inc.

Argued by Mr. David P. Findling for the petitioner and by Mr. Ralph Williams for the respondent.

Aeronautical Industrial District Lodge 727, an Unincorporated Association,

Petitioner,

333 vs.

James L. Campbell, et al.

Argued by Mr. Maurice J. Hindin for the petitioner and by Mr. H. Graham Morison for the respondents, James L. Campbell, et al., and submitted by Mr. Robert H. Canan for the respondent, Lockheed Aircraft Corporation. Leave granted petitioner to file memorandum within five days.

Samuel Taylor,

Petitioner,

121, Misc. vs.

Tennyson Dennis, Warden.

Argument commenced by Mr. Nesbitt Elmore for the petitioner.

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Proclamation being made the Court is adjourned until tomorrow at 12 o'clock.

TUESDAY, FEBRUARY 1, 1949.

Pursuant to adjournment the Court met at the Supreme Court Building.

PRESENT:

The Honorable Fred M. Vinson, Chief Justice,
Hugo L. Black,
Stanley Reed,
Felix Frankfurter,
William O. Douglas,
Frank Murphy, Associate Justices.
Robert H. Jackson,
Wiley Rutledge,
Harold H. Burton.
Thomas Ennalls Waggaman, Esquire, Marshal,
Charles Elmore Cropley, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. James J. Lenihan, It is ordered that Robert F. Jackson, Esquire, of Media, Commonwealth of Pennsylvania, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Abraham E. Freedman, It is ordered that Samuel M. Landy, Esquire, of Philadelphia, Commonwealth of Pennsylvania, and Wilfred R. Lorry, Esquire, of Philadelphia, Commonwealth of Pennsylvania, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. C. Erskine Daniel, It is ordered that Donald S. Russell, Esquire, of Spartanburg, State of South Carolina, and Edwin W. Johnson, Esquire, of Spartanburg, State of South Carolina, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

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Samuel Taylor,

Petitioner,

121, Misc. vs.

Tennyson Dennis, Warden.

Argument concluded by Mr. Nesbitt Elmore for the petitioner and submitted by Mr. A. A. Carmichael and Mr. Bernard F. Sykes for the respondent.

Arthur Terminiello,

Petitioner,

272 vs.

City of Chicago.

Argued by Mr. Albert W. Dilling for the petitioner, and by Mr. L. Louis Karton for the respondent.

Lillian A. Weade, Frederick M. Weade, and Roberta L. Stinemeyer,

Petitioners,

179 vs.

Dichmann, Wright & Pugh, Incorporated.

Argued by Mr. William E. Leahy for the petitioners, and by Mr. Leavenworth Colby for the respondent.

Cosmopolitan Shipping Company, Inc.,

Petitioner,

351 vs.

Robert A. McAllister.

Argument commenced by Mr. Leavenworth Colby for the petitioner.

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Proclamation being made the Court is adjourned until tomorrow at 12 o'clock.

WEDNESDAY, FEBRUARY 2, 1949.

Pursuant to adjournment the Court met at the Supreme Court Building.

PRESENT:

The Honorable Fred M. Vinson, Chief Justice,
Hugo L. Black,
Stanley Reed,
Felix Frankfurter,
William O. Douglas,
Frank Murphy,
Robert H. Jackson,
Wiley Rutledge,
Harold H. Burton.
Associate Justices.

Thomas Ennalls Waggaman, Esquire, Marshal,

Charles Elmore Cropley, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. David W. Robinson, Jr., It is ordered that Edgar A. Brown, Esquire, of Barnwell, State of South Carolina; R. Hoke Robinson, Esquire, of Columbia, State of South Carolina; and Nathaniel A. Turner, Esquire, of Columbia, State of South Carolina, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Charles L. Kent, It is ordered that Park Holland, Jr., Esquire, of New York, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Ray J. Madden, It is ordered that Felix A. Kaul, Esquire, of Gary, State of Indiana, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. George Sipkin, It is ordered that Albert H. Helvestine, Esquire, of Washington, District of Columbia, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Frederick M. Tansill, It is ordered that Archie B. Morrison, Esquire, of New York, State of New York; Jacob Nass, Esquire, of New York, State of New York; and William Stock, Esquire, of New York, State of New York, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. William P. MacCracken, Jr., It is ordered that Thomas Goodman Vent, Esquire, of Chicago, State of Illinois, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. James D. Hayes, It is ordered that Rudolph Ebenfeld, Esquire, of New York, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Joseph P. Tumulty, Jr., It is ordered that Paul L. Peyton, Esquire, of New York, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. William P. Smith, It is ordered that Huger Sinkler, Esquire, of Charleston, State of South Carolina, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. George P. Lamb, It is ordered that George F. Smyth, Esquire, of Inglewood, State of California, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Israel J. Mendelson, It is ordered that Seth Lundquist, Esquire, of Minneapolis, State of Minnesota, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Robert C. Barnard, It is ordered that DeWitt Morgan Manning, Esquire, of Los Angeles, State of California, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

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Cosmopolitan Shipping Company, Inc.,

Petitioner,

351 vs.

Robert A. McAllister.

Argument concluded by Mr. Jacob Rassner for the respondent.

Fred W. Pink,

Petitioner,

360 vs.

Shepard Steamship Company.

Argued by Mr. James Landye for the petitioner and by Mr. Leavenworth Colby for the respondent.

Isaac Gaynor,

Petitioner,

430 vs.

Agwilines, Inc.

Argued by Mr. Abraham E. Freedman for the petitioner and by Mr. Leavenworth Colby for the respondent.

John M. Daniel, as Attorney General of South Carolina, et al.,

Appellants,

297 vs.

Family Security Life Insurance Company, et al.

Argued by Mr. David W. Robinson for the appellants and by Mr. Donald Russell for the appellees.

The United States,

Petitioner,

135 vs.

Alfred W. Jones, Receiver for Georgia & Florida Railroad; and

Alfred W. Jones, Receiver for Georgia & Florida Railroad,

Petitioner,

198 vs.

The United States.

Argument commenced by Mr. Moultrie Hitt for Jones, Receiver.

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Proclamation being made the Court is adjourned until tomorrow at 12 o'clock.

THURSDAY, FEBRUARY 3, 1949.

Pursuant to adjournment the Court met at the Supreme Court Building.

PRESENT:

The Honorable Fred M. Vinson, Chief Justice,
Hugo L. Black,
Stanley Reed,
Felix Frankfurter,
William O. Douglas,
Frank Murphy,
Robert H. Jackson,
Wiley Rutledge,
Harold H. Burton. Associate Justices.

Thomas Ennalls Waggaman, Esquire, Marshal,

Charles Elmore Cropley, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Will Shafroth, It is ordered that Joe Thomas Mizell, Jr., Esquire, of Richmond, Commonwealth of Virginia, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Solicitor General Philip B. Perlman, It is ordered that Boone D. Tillett, Jr., Esquire, of Lake Wales, State of Florida, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Milton Strasburger, It is ordered that Woodrow J. Sandler, Esquire, of New York, State of New York, and Darwin W. Telesford, Esquire, of New York, State of New York, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

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The United States,

Petitioner,

135 vs.

Alfred W. Jones, Receiver for Georgia & Florida Railroad; and

Alfred W. Jones, Receiver for Georgia & Florida Railroad,

Petitioner,

198 vs.

The United States.

Argument continued by Mr. Moultrie Hitt for Jones, Receiver; by Mr. Solicitor General Perlman for the United States, and concluded by Mr. Moultrie Hitt for Jones, Receiver.

Defense Supplies Corporation and Reconstruction Finance Corporation,

Petitioners,

298 vs.

Lawrence Warehouse Company, et al.

Argued by Mr. Morton Liftin for the petitioners, by Mr. Morris Lavine for the respondent, Capitol Chevrolet Co., and by Mr. W. R. Wallace for the respondent, Lawrence Warehouse Co.

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Proclamation being made the Court is adjourned until tomorrow at 12 o'clock.

FRIDAY, FEBRUARY 4, 1949.

Pursuant to adjournment the Court met at the Supreme Court Building.

PRESENT:

The Honorable Fred M. Vinson, Chief Justice,
Hugo L. Black,
Stanley Reed,
Felix Frankfurter,
William O. Douglas,
Frank Murphy,
Robert H. Jackson,
Wiley Rutledge,
Harold H. Burton,
Associate Justices.
Thomas Ennalls Waggaman, Esquire, Marshal,
Charles Elmore Cropley, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Ross A. Collins, It is ordered that Imogen Williford, of Vossburg, State of Mississippi, be admitted to practice as an Attorney and Counsellor of this Court, and she was sworn accordingly. (Miss)

On motion first made to the Court in this behalf by Mr. Wendell Berge, It is ordered that Aaron Alvis Layne, Jr., Esquire, of Washington, District of Columbia, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Chester Ward, It is ordered that Ethel Mary Denny, of Washington, District of Columbia, be admitted to practice as an Attorney and Counsellor of this Court, and she was sworn accordingly. (Miss)

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The United States,

Petitioner,

132 vs.

Richard S. Cors.

Argued by Mr. Oscar H. Davis for the petitioner, and by Mr. John Lord O'Brian for the respondent.

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Proclamation being made the Court is adjourned until Monday, February 7, next, at 12 o'clock.

MONDAY, FEBRUARY 7, 1949.

Pursuant to adjournment the Court met at the Supreme Court Building.

PRESENT:

The Honorable Fred M. Vinson, Chief Justice,
Stanley Reed,
Felix Frankfurter,
William O. Douglas,
Frank Murphy,
Robert H. Jackson,
Wiley Rutledge,
Harold H. Burton,
Associate Justices.
Thomas Ennalls Waggaman, Esquire, Marshal,
Charles Elmore Cropley, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Solicitor General Philip B. Perlman, It is ordered that John S. Guandolo, Esquire, of Washington, District of Columbia, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Matthew Mansfield Neely, It is ordered that Julian G. Hearne, Jr., Esquire, of Wheeling, State of West Virginia, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Ed Gossett, It is ordered that J. Paul Wait, Esquire, of Sturgis, State of Michigan, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Chauncey W. Reed, It is ordered that James Kenneth Kneussl, Esquire, of Chicago, State of Illinois, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Will Shafroth, It is ordered that John P. Sandidge, Esquire, of Louisville, Commonwealth of Kentucky; Charles Sterling Landrum, Esquire, of Lexington, Commonwealth of Kentucky; Henry William Willen, Esquire, of Louisville, Commonwealth of Kentucky; and R. P. Hobson, Esquire, of Louisville, Commonwealth of Kentucky, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Hale Boggs, It is ordered that Robert Andrew Ainsworth, Jr., Esquire, of New Orleans, State of Louisiana, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. C. Frank Reavis, It is ordered that Allan F. Ayers, Jr., Esquire, of New York, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Mozart G. Ratner, It is ordered that Norton Jay Come, Esquire, of Chicago, State of Illinois, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Scott D. Mellows, It is ordered that James E. Sabine, Esquire, of San Francisco, State of California, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Fred W. Shields, It is ordered that Ronald S. Mazel, Esquire, of Saint Paul, State of Minnesota, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. M. Joseph Matan, It is ordered that Sidney Meyers, Esquire, of New York, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. John Charles Reid, It is ordered that Frank R. Reid, Jr., Esquire, of Aurora, State of Illinois, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Harry C. Ames, It is ordered that David F. Root, Esquire, of Morris, State of Illinois, and Leonard Hoffman, Esquire, of Morris, State of Illinois, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. William F. Weigester, It is ordered that Charles Dinwiddie Stores, Esquire, of Arlington, Commonwealth of Virginia, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Walter M. Bastian, It is ordered that Francis E. Winslow, Esquire, of Rocky Mount, State of North Carolina, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Bernard H. Conn, It is ordered that Mark P. Friedlander, Esquire, of Falls Church, Commonwealth of Virginia, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. David O. Mathews, It is ordered that Gerald L. Phelps, Esquire, of Arlington, Commonwealth of Virginia, and James Clayton Moore, Jr., Esquire, of Alexandria, Commonwealth of Virginia, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Albert A. Carretta, It is ordered that Lloyd T. Bailey, Esquire, of Hot Springs, State of Arkansas, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Clark M. Clifford, It is ordered that Lon Hocker, Esquire, of Saint Louis, State of Missouri, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

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Lionel G. Ott, Commissioner of Public Finance and Ex-Officio City Treasurer of the City of New Orleans, et al., Appellants,

vs.

Mississippi Valley Barge Line Company, American Barge Line Company and Union Barge Line Corporation.

Appeal from the United States Court of Appeals for the Fifth Circuit.

244

THIS CAUSE came on to be heard on the transcript of the record from the United States Court of Appeals for the Fifth Circuit, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is ordered and adjudged by this Court that the judgments of the Court of Appeals under review in this Court, be, and they are hereby, reversed with costs.

IT IS FURTHER ORDERED that this cause be, and it is hereby, remanded to the United States District Court for the Eastern District of Louisiana for proceedings in conformity with the opinion of this Court.

Per Mr. Justice Douglas.

Dissenting: Mr. Justice Jackson.

Joe J. Fisher, Petitioner,

vs.

R. C. Pace, Sheriff of Jasper County, Texas.

On writ of certiorari to the Supreme Court of the State of Texas.

45

THIS CAUSE came on to be heard on the transcript of the record from the Supreme Court of the State of Texas, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is ordered and adjudged by this Court that the judgment of the said Supreme Court, in this cause, be, and the same is hereby, affirmed with costs.

Per Mr. Justice Reed.

Dissenting opinion by Mr. Justice Douglas in which Mr. Justice Black concurs.

Dissenting opinion by Mr. Justice Murphy.

Dissenting opinion by Mr. Justice Rutledge.

Merrel P. Callaway, as Trustee of the Property of Central of Georgia Railway Company, Debtor, et al.,

Petitioners,

vs.

L. O. Benton, Jr., et al.

On writ of certiorari to the United States Court of Appeals for the Fifth Circuit.

21

THIS CAUSE came on to be heard on the transcript of the record from the United States Court of Appeals for the Fifth Circuit, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is now here ordered and adjudged by this Court that the judgment of the said United States Court of Appeals, in this cause, be, and the same is hereby, affirmed with costs; and that this cause be, and the same is hereby, remanded to the United States District Court for the Southern District of Georgia.

Per Mr. Chief Justice Vinson.

Dissenting opinion by Mr. Justice Douglas in which Mr. Justice Rutledge concurs.

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The Chief Justice announced the following order of the Court:

Samuel Taylor,

Petitioner,

121, Misc. vs.

Tennyson Dennis, Warden.

On writ of certiorari.

THIS CAUSE came on to be heard on the transcript of record from the United States District Court for the Middle District of Alabama and the United States Court of Appeals for the Fifth Circuit and was argued by counsel.

ON CONSIDERATION WHEREOF, it is ordered and adjudged by this Court that the judgment and order of the United States District Court and the order of the Court of Appeals in this cause, be, and they are hereby, affirmed by an equally divided Court; and that this cause be, and it is hereby, remanded to the said District Court.

Per Mr. Chief Justice Vinson.

Mr. Justice Black took no part in the consideration or decision of this case.

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The Chief Justice said:

"The other orders of the Court appear upon the list certified by the Chief Justice and filed with the clerk and will not be announced orally."

Carl Aldo Marzani,

Petitioner,

59 vs.

The United States of America.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION THEREOF, it is ordered by this Court that the said petition be, and it is hereby, granted and the case is ordered restored to the docket for reargument.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Transcontinental & Western Air, Inc.,

Petitioner,

387 vs.

Civil Aeronautics Board.

ON CONSIDERATION of the motion of Capital Airlines, Inc., for leave to file a brief as amicus curiae in this case,

IT IS ORDERED by this Court that the said motion be, and it is hereby, granted.

Per Mr. Chief Justice Vinson.

William H. Hiatt, Warden, United States Penitentiary, Lewisburg, Pennsylvania,

Petitioner,

457 vs.

Bernard W. Smith.

ON CONSIDERATION of the motion of the Solicitor General of the United States to substitute the party petitioner in this case,

IT IS ORDERED by this Court that George W. Humphrey, present Warden, be, and he is hereby, substituted as the party petitioner herein in place of William H. Hiatt and that the cause be so continued and maintained.

Per Mr. Chief Justice Vinson.

George W. Humphrey, Warden, United States Penitentiary, Lewisburg, Pennsylvania, Order allowing certiorari.

Petitioner,

457 vs.

Bernard W. Smith.

The petition herein for a writ of certiorari to the United States Court of Appeals for the Third Circuit is granted.

And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

J. S. Woods,

Petitioner,

465 vs.

Interstate Realty Company.

Order allowing certiorari.

The petition herein for a writ of certiorari to the United States Court of Appeals for the Fifth Circuit is granted.

And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

Nannie Ellyson Pollard, Mary Ellyson Dowdy, Hattie Ellyson Maddox, et al.,

Petitioners,

450 vs.

Clayton Hawfield, Frances Gertrude Scott, Florence O. Metz, et al.

On petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the District of Columbia, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Wilson Bros. & Co.,

Petitioner,

471 vs.

Commissioner of Internal Revenue.

On petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Ninth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Dixie Cup Company,
Petitioner,
483 vs.
Paper Container Mfg. Company.

On petition for writ of certiorari to the United States Court of Appeals for the Third Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Third Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Willie Melmoth Bomar,
Petitioner,
497 vs.
Rowena Keith Keyes and the City of New York.

On petition for writ of certiorari to the United States Court of Appeals for the Second Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Second Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

American Locomotive Company,
Petitioner,
498 vs.
Chemical Research Corporation.

On petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Sixth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

American Locomotive Company,

Petitioner,

499 vs.

Gyro Process Company.

On petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Sixth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Seatrain Lines, Inc.,

Petitioner,

482 vs.

West India Fruit & Steamship Co., Inc., et al.

On petition for writ of certiorari to the United States Court of Appeals for the Second Circuit.

IT APPEARING to the Court that counsel for the petitioner have filed a motion to dismiss the petition for writ of certiorari in this case,

THEREFORE, pursuant to said motion, it is ordered by this Court that the petition for writ of certiorari in this case, be, and it is hereby, dismissed.

Per Mr. Chief Justice Vinson.

Lelord Kordel,

Petitioner,

30 vs.

The United States of America.

ON CONSIDERATION of the motion for leave to file petition for rehearing out of time in this case,

IT IS ORDERED by this Court that the said motion be, and it is hereby, denied.

Per Mr. Chief Justice Vinson.

M. Robert Guggenheim,

Petitioner,

405 vs.

The United States.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

James Grierson,

Petitioner,

658 O.T. '45 vs.

Stanley P. Ashe, Warden.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

James Grierson,

Petitioner,

659 O.T. '45 vs.

Stanley P. Ashe, Warden, Western Pennsylvania Penitentiary, Pittsburgh, Pa., et al.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Albert Marcus,

Petitioner,

275, Misc. vs.

R. H. Hudspeth, Warden.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Charles W. Wilson,

Petitioner,

286, Misc. vs.

R. H. Hudspeth, Warden.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Richard Anderson Lowe,

Petitioner,

312, Misc. vs.

George D. Killinger.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

James Albert D'Ostroph, Petitioner, vs. The United States of America. — On petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit.

185, Misc.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Sixth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Lester Nicholls, Petitioner, vs. State of Ohio. — On petition for writ of certiorari to the Supreme Court of the State of Ohio.

229, Misc.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of Ohio, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mary Gibbons, Petitioner, vs. Hugo E. Brandt and Ruth E. Brandt. — On petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit.

278, Misc.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Seventh Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

John Pitts,

Petitioner,

321, Misc. vs.

Joseph E. Ragen, Warden.

On petition for writ of certiorari to the Criminal Court of Cook County of the State of Illinois.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Criminal Court of Cook County of the State of Illinois, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Wilbur Williams,

Petitioner,

322, Misc. vs.

Joseph E. Ragen, Warden.

On petition for writ of certiorari to the Criminal Court of Cook County of the State of Illinois.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Criminal Court of Cook County of the State of Illinois, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Cortez Garner,

Petitioner,

323, Misc. vs.

Joseph E. Ragen, Warden.

On petition for writ of certiorari to the Circuit Court of Will County of the State of Illinois.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Circuit Court of Will County of the State of Illinois, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Albert Ciha,

Petitioner,

324, Misc. vs.

Joseph E. Ragen, Warden.

On petition for writ of certiorari to the Criminal Court of Cook County of the State of Illinois.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Criminal Court of Cook County of the State of Illinois, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Robert Nichols Clarke,

Petitioner,

307, Misc. vs.

Joseph E. Ragen, Warden.

On petition for writ of certiorari to the Criminal Court of Cook County, State of Illinois.

IT APPEARING to the Court that petitioner has filed a motion to dismiss the petition for writ of certiorari in this case,

THEREFORE, pursuant to said motion, it is ordered by this Court that the petition for writ of certiorari in this case, be, and it is hereby, dismissed.

Per Mr. Chief Justice Vinson.

Frank W. O'Neill,

Petitioner,

337, Misc. vs.

People of the State of California.

ON CONSIDERATION of the motion for leave to file a petition for writ of habeas corpus herein,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Emery Lloyd,

Petitioner,

345, Misc. vs.

Ralph Howard, Warden.

ON CONSIDERATION of the motion for leave to file a petition for writ of habeas corpus herein,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Thomas Stephenson,

Petitioner,

347, Misc. vs.

The State of New Jersey.

ON CONSIDERATION of the motion for leave to file a petition for writ of habeas corpus herein,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

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The Court will take a recess from Monday, February 14, until Monday, February 28, next.

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Commissioner of Internal Revenue,

Petitioner,

313 vs.

W. O. Culbertson, Sr., and Gladys Culbertson.

Argued by Mr. Arnold Raum for the petitioner, and by Mr. Benjamin L. Bird for the respondent.

Ex parte Joseph Collett,

206, Misc. Petitioner.

Argued on the motion for leave to file petition for writs of mandamus and prohibition by Mr. Lloyd T. Bailey for the petitioner, and by Mr. Robert P. Hobson for the respondents.

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Proclamation being made the Court is adjourned until tomorrow at 12 o'clock.

Pursuant to adjournment the Court met at the Supreme Court Building.

PRESENT:

The Honorable Fred M. Vinson, Chief Justice,
Stanley Reed,
Felix Frankfurter,
William O. Douglas,
Frank Murphy,
Robert H. Jackson,
Wiley Rutledge,
Harold H. Burton. Associate Justices.

Thomas Ennalls Waggaman, Esquire, Marshal,

Charles Elmore Cropley, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Gerald B. Brophy, It is ordered that Charles Pickett, Esquire, of New York, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. H. Donald Kistler, It is ordered that J. Herbert Burke, Esquire, of Chicago, State of Illinois, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Aaron Friedenberg, It is ordered that Norman Duberstein, Esquire, of Washington, District of Columbia, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. John L. Bland, It is ordered that William F. Brooks, Esquire, of Los Angeles, State of California, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Thomas L. Mead, Jr., It is ordered that Beverly W. Pattishall, Esquire, of Chicago, State of Illinois, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

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Jessie A. Kilpatrick,

Petitioner,

233, Misc. vs.

The Texas & Pacific Railway Co.

Argued on the motion for leave to file petition for writ of mandamus or certiorari by Mr. William H. DeParcq for the petitioner and by Mr. Porter R. Chandler for the respondent.

The United States of America,

Petitioner,

269, Misc. vs.

National City Lines, Inc., et al.

Argued on the motion for leave to file petition for writ of certiorari by Mr. Charles Weston for the petitioner and by Mr. C. Frank Reavis for the respondents.

The People of the State of California,

Petitioner,

355 vs.

Berl B. Zook and Wilmer K. Craig.

Argued by Mr. John L. Bland for the petitioner and by Mr. DeWitt Morgan Manning for the respondents.

Transcontinental & Western Air, Inc.,

Petitioner,

387 vs.

Civil Aeronautics Board.

Argument commenced by Mr. Gerald B. Brophy for the petitioner.

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Proclamation being made the Court is adjourned until tomorrow at 12 o'clock.

WEDNESDAY, FEBRUARY 9, 1940.

Pursuant to adjournment the Court met at the Supreme Court Building.

PRESENT:

The Honorable Fred M. Vinson, Chief Justice,
Stanley Reed,
Felix Frankfurter,
William O. Douglas,
Frank Murphy, Associate Justices.
Robert H. Jackson,
Wiley Rutledge,
Harold H. Burton.

Thomas Ennalls Waggaman, Esquire, Marshal,
Charles Elmore Cropley, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. W. G. Stathers, It is ordered that Mary Frances Brown, of Clarksburg, State of West Virginia, and Arch M. Cantrall, Esquire, of Clarksburg, State of West Virginia, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly. (Miss)

On motion first made to the Court in this behalf by Mr. Homer Ferguson, It is ordered that Donald F. Welday, Esquire, of Detroit, State of Michigan, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Maurice L. A. Gellis, It is ordered that Monroe E. Stein, Esquire, of New York, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Robert Stuart Erdahl, It is ordered that George F. Roesch, II, Esquire, of Middletown, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

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Transcontinental & Western Air, Inc.,

Petitioner,

387 vs.

Civil Aeronautics Board.

Argument continued by Mr. Gerald B. Brophy for the petitioner; by Mr. Emory T. Munneley, Jr., for the respondent, and concluded by Mr. Gerald B. Brophy for the petitioner.

Empresa Siderurgica, S. A., a Corporation of Colombia, South America, et al.,

Appellants,

327 vs.

County of Merced, a Municipal Corporation, et al.

Argued by Mr. Scott D. Kellogg for the appellants, and by Mr. James E. Sabine for the appellees.

City of Morgantown, West Virginia, a Municipal Corporation,

Petitioner,

396 vs.

Royal Insurance Company, Limited.

Argument commenced by Miss Mary Frances Brown for the petitioner.

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Proclamation being made the Court is adjourned until tomorrow at 12 o'clock.

THURSDAY, FEBRUARY 10, 1949.

Pursuant to adjournment the Court met at the Supreme Court Building.

PRESENT:

The Honorable Fred M. Vinson, Chief Justice,
Stanley Reed,
Felix Frankfurter,
William O. Douglas,
Frank Murphy,
Robert H. Jackson,
Wiley Rutledge,
Harold H. Burton. Associate Justices.

Thomas Ennalls Waggaman, Esquire, Marshal,

Charles Elmore Cropley, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Henry P. Chandler, It is ordered that Albert Louis Seidel, Esquire, of Chicago, State of Illinois, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. David Rein, It is ordered that Samuel D. Menin, Esquire, of Denver, State of Colorado, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

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City of Morgantown, West Virginia, a Municipal Corporation,

Petitioner,

396 vs.

Royal Insurance Company, Limited.

Argument continued by Miss Mary Frances Brown for the petitioner, and concluded by Mr. James M. Guiher for the respondent.

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Proclamation being made the Court is adjourned until Monday, February 14, next, at 12 o'clock.

Pursuant to adjournment the Court met at the Supreme Court Building.

PRESENT:

The Honorable Fred M. Vinson, Chief Justice,
Stanley Reed,
Felix Frankfurter,
William O. Douglas,
Frank Murphy,
Robert H. Jackson,
Wiley Rutledge,
Harold H. Burton. Associate Justices.

Thomas Ennalls Waggaman, Esquire, Marshal,

Charles Elmore Cropley, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. James P. McGovern, It is ordered that Hancock Griffin, Jr., Esquire, of New York, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Paul J. Kilday, It is ordered that Harvey L. Hardy, Esquire, of San Antonio, State of Texas, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Solicitor General Philip B. Perlman, It is ordered that Bates Block, Esquire, of Atlanta, State of Georgia, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Lawrence M. Smith, It is ordered that Philip F. LaFollette, Esquire, of Madison, State of Wisconsin, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Earl G. Spiker, It is ordered that Neal Jay Huff, Esquire, of Larchmont, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Edward F. Colladay, It is ordered that Bernard Trencher, Esquire, of New York, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Henry Bahr, It is ordered that George Joseph Tichy, Esquire, of Spokane, State of Washington, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Louis B. Arnold, It is ordered that Edgar Jules Schoen, Esquire, of Chicago, State of Illinois, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Edward M. Shulman, It is ordered that Horace Bonar Ritchie, Jr., Esquire, of Athens, State of Georgia, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. John D. McCall, It is ordered that Bobby H. McCall, Esquire, of Dallas, State of Texas, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Miss Loretta I. Martone, It is ordered that Katie Shapiro, of New York, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and she was sworn accordingly.

(Miss)

On motion first made to the Court in this behalf by Mr. Harry F. Riley, It is ordered that James L. Burke, Esquire, of Elmira, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Arnold Raum, It is ordered that Donald Burdette Smith, Esquire, of Saint Paul, State of Minnesota, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Robert H. McNeill, It is ordered that Carl G. Engling, Esquire, of Washington, District of Columbia, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

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Richard P. Lawson, as Deputy Commissioner, Sixth Compensation District, United States Employees' Compensation Commission,

Petitioner,

56 vs.

Suwannee Fruit & Steamship Company, a Corporation, and Fidelity & Casualty Company of New York.

On writ of certiorari to the United States Court of Appeals for the Fifth Circuit.

THIS CAUSE came on to be heard on the transcript of the record from the United States Court of Appeals for the Fifth Circuit, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is now here ordered and adjudged by this Court that the judgment of the said United States Court of Appeals, in this cause, be, and the same is hereby, affirmed; and that this cause be, and the same is hereby, remanded to the United States District Court for the Southern District of Florida.

Per Mr. Justice Murphy.

Dissenting: Mr. Justice Douglas.

William R. McComb, Administrator of the Wage and Hour Division, United States Department of Labor,

Petitioner,

110 vs.

Jacksonville Paper Company, et al.

On writ of certiorari to the United States Court of Appeals for the Fifth Circuit.

THIS CAUSE came on to be heard on the transcript of the record from the United States Court of Appeals for the Fifth Circuit, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is now here ordered and adjudged by this Court that the judgment of the said United States Court of Appeals, in this cause, be, and the same is hereby, reversed; and that this cause be, and the same is hereby, remanded to the United States District Court for the Southern District of Florida for proceedings in conformity with the opinion of this Court.

Per Mr. Justice Douglas.

Mr. Justice Rutledge concurs in the result.

Dissenting opinion by Mr. Justice Frankfurter in which Mr. Justice Jackson concurs.

Wisconsin Electric Power Company,

Petitioner,

237 vs.

The United States of America.

On writ of certiorari to the United States Court of Appeals for the Seventh Circuit.

THIS CAUSE came on to be heard on the transcript of the record from the United States Court of Appeals for the Seventh Circuit, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is now here ordered and adjudged by this Court that the judgment of the said United States Court of Appeals, in this cause, be, and the same is hereby, affirmed; and that this cause be, and the same is hereby, remanded to the United States District Court for the Eastern District of Wisconsin.

Per Mr. Justice Reed.

Mrs. Marie Reynolds, Who Sues as the Administratrix of the Estate of Hury O. Reynolds, Deceased,

Petitioner,

234 vs.

Atlantic Coast Line Railroad Company, a Corporation.

On writ of certiorari to the Supreme Court of the State of Alabama.

THIS CAUSE came on to be heard on the transcript of the record from the Supreme Court of the State of Alabama, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is ordered and adjudged by this Court that the judgment of the said Supreme Court, in this cause, be, and the same is hereby, affirmed with costs.

Per Mr. Chief Justice Vinson.

Concurring: Mr. Justice Frankfurter.

Dissenting: Mr. Justice Black, Mr. Justice Douglas, Mr. Justice Murphy, and Mr. Justice Rutledge.

E. A. Hill,

Petitioner,

472 vs.

Atlantic Coast Line Railroad Company.

Order allowing certiorari.

The petition herein for a writ of certiorari to the Supreme Court of the State of North Carolina is granted.

And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

E. A. Hill,

Petitioner,

472 vs.

Atlantic Coast Line Railroad Company.

On writ of certiorari to the Supreme Court of the State of North Carolina.

"THIS CAUSE came on to be heard on the transcript of the record from the Supreme Court of the State of North Carolina, and was duly submitted.

"ON CONSIDERATION WHEREOF, It is ordered and adjudged by this Court that the judgment of the said Supreme Court, in this cause, be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the said Supreme Court for proceedings not inconsistent with the opinion of this Court.

Per Mr. Chief Justice Vinson.

Mr. Justice Frankfurter is of opinion that the petition for certiorari should not be granted for reasons indicated in his concurring opinion in No. 53, Wilkerson v. McCarthy, decided January 31, 1949.

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The Chief Justice said:

"The orders of the Court appear upon the list certified by the Chief Justice and filed with the clerk and will not be announced orally."

The United States of America,

Complainant,

No. ___, Original vs.

The State of Louisiana; and

The United States of America,

Complainant,

No. ___, Original vs.

The State of Texas.

These cases are assigned for oral argument on the motions for leave to file complaints.

Per Mr. Chief Justice Vinson.

Robert Frazier,

Petitioner,

44 vs.

The United States of America.

It is ordered that the first sentence of the last paragraph on page 7 of the slip opinion, which begins "Given ten arbitrary choices among twenty-two prospective jurors * * * ," be, and it is hereby, amended to read as follows:

"Given ten arbitrary choices among twenty-two prospective jurors not disqualified for cause, of whom thirteen were Government employees and nine privately engaged, he knowingly, of his own right, rejected nine of the latter and with knowledge or the full opportunity to secure it accepted without challenge all but one of the former."

Per Mr. Chief Justice Vinson.

Clyde Wilkerson,

Petitioner,

53 vs.

Wilson McCarthy and Henry Swan, as Trustees of the Denver and Rio Grande Western Railroad Company.

ON CONSIDERATION of the motion of counsel for the respondent to extend the time within which to file a petition for rehearing in this case,

IT IS ORDERED by this Court that the said motion be, and it is hereby, granted and the time is extended to and including March 8, 1949.

Per Mr. Chief Justice Vinson.

Tighe E. Woods, Housing Expediter, Office of the Housing Expediter,

Petitioner,

476 vs.

Elizabeth Ellis Durr.

Order allowing certiorari.

The petition herein for a writ of certiorari to the United States Court of Appeals for the Third Circuit is granted.

And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

Charlie Love,

Petitioner,

402 vs.

The United States of America.

On petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Fourth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Bennett E. Meyers,

Petitioner,

467 vs.

The United States of America.

On petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the District of Columbia Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

John Barcott,

Petitioner,

468 vs.

The United States of America.

On petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Ninth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Roscoe A. Coffman,

Petitioner,

470 vs.

Federal Laboratories, Inc., and the United States of America.

On petition for writ of certiorari to the United States Court of Appeals for the Third Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Third Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Emanuel Stavros Houvardas,

Petitioner,

479 vs.

I. F. Wixon, District Director of Immigration and Naturalization.

On petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Ninth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Pangborn Corporation,
Petitioner,
480 vs.
The American Foundry Equipment Company.

On petition for writ of certiorari to the United States Court of Appeals for the Third Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Third Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

American Foundry Equipment Company,
Petitioner,
481 vs.
Pangborn Corporation.

On petition for writ of certiorari to the United States Court of Appeals for the Third Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Third Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Lois L. Bruce,
Petitioner,
485 vs.
The Ohio Oil Company and Ramsel Petroleum Corporation.

On petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Tenth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Lee Fong Fook,

Petitioner,

491 vs.

I. F. Wixon, District Director, Immigration and Naturalization Service, Port of San Francisco.

On petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Ninth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Russell R. Knowles and Silvia Knowles, et al.,

Petitioners,

492 vs.

War Damage Corporation, an Instrumentality of the United States of America.

On petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the District of Columbia Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Frederick John Wolfe,

Petitioner,

501 vs.

Commissioner of Internal Revenue.

On petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Ninth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

George Harris,
Petitioner,
508 vs.
Ned Sockey.

On petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Tenth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Joseph C. Sharble and Charles Hooker,
Petitioners,
484 vs.
Kuehnle-Wilson, Inc.

On petition for writ of certiorari to the Supreme Court of the Commonwealth of Pennsylvania.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the Commonwealth of Pennsylvania, It is ordered by this Court that the said petition be, and the same is hereby, denied for the reason that application therefor was not made within the time provided by law. 28 U.S.C. 2101(c).

Per Mr. Chief Justice Vinson.

Thoger Gronberg Jungersen,
Petitioner,
7 vs.
Ostby and Barton Company, et al.;

Ostby and Barton Company, et al.,
Petitioners,
8 vs.
Thoger Gronberg Jungersen; and

Thoger Gronberg Jungersen,

Petitioner,

48 vs.

Robert Baden, et al.

ON CONSIDERATION of the motion of Thoger Gronberg Jungersen for leave to file a petition for rehearing in these cases,

IT IS ORDERED by this Court that the said motion be, and it is hereby, denied.

Per Mr. Chief Justice Vinson.

Lipe Hensiee, Individually, etc.,

Petitioner,

90 vs.

Union Planters Bank & Trust Company, et al.

ON CONSIDERATION of the motion of counsel for respondents for leave to file a petition for rehearing in this case,

IT IS ORDERED by this Court that the said motion be, and it is hereby, denied.

Per Mr. Chief Justice Vinson.

Estate of Sidney M. Spiegel, Deceased, etc., et al.,

Petitioners,

3 vs.

Commissioner of Internal Revenue.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Commissioner of Internal Revenue,

Petitioner,

5 vs.

Estate of Francois L. Church, Deceased, et al.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

World Publishing Company,

Petitioner,

426 vs.

The United States of America.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Universal Oil Products Company,

Petitioner,

439 vs.

William Whitman Company, Inc., and

Universal Oil Products Company,

Petitioner,

440 vs.

William Whitman Company, Inc.

A petition for rehearing having been filed in these cases,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

American Safety Table Company,

Petitioner,

441 vs.

Singer Sewing Machine Company.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

John O. Story,

Petitioner,

223, Misc. vs.

Clarence P. Burford, Warden.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Charley Darnell,

Petitioner,

339, Misc. vs.

R. H. Hudspeth, Warden.

On petition for writ of certiorari to the Supreme Court of the State of Kansas.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of Kansas, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Henry Wofford,

Petitioner,

342, Misc. vs.

Joseph E. Ragen, Warden.

On petition for writ of certiorari to the Criminal Court of Cook County of the State of Illinois.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Criminal Court of Cook County of the State of Illinois, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Richard Clark,

Petitioner,

343, Misc. vs.

Joseph E. Ragen, Warden.

On petition for writ of certiorari to the Circuit Court of Lake County of the State of Illinois.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Circuit Court of Lake County of the State of Illinois, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Robert A. Watts,

Petitioner,

344, Misc. vs.

State of Indiana.

ON CONSIDERATION of the motion to dispense with the filing of a complete record with the petition for writ of certiorari in this case,

IT IS ORDERED by this Court that the said motion be, and it is hereby, granted.

Per Mr. Chief Justice Vinson.

Gladys Broadhurst,

Petitioner,

561 vs.

State of Oregon.

It is ordered that the time for making service of the petition for certiorari, brief, and record be extended to a date which is not later than 10 days after the giving of notice by the Clerk of this Court to counsel for the petitioner that the printed record has been delivered to such Clerk.

Per Mr. Chief Justice Vinson.

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Proclamation being made the Court is adjourned until Monday, February 28, next, at 12 o'clock.

MONDAY, FEBRUARY 24, 1947.

Pursuant to adjournment the Court met at the Supreme Court Building.

PRESENT:

The Honorable Fred M. Vinson, Chief Justice,
Hugo L. Black,
Stanley Reed,
Felix Frankfurter,
William O. Douglas,
Robert H. Jackson,
Wiley Rutledge,
Harold H. Burton. Associate Justices.

Thomas Ennalls Waggaman, Esquire, Marshal,

Charles Elmore Cropley, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Solicitor General Philip B. Perlman, It is ordered that Robert M. Berman, Esquire, of Saint Louis, State of Missouri; Alexander M. Campbell, Esquire, of Fort Wayne, State of Indiana; Lindsay Rogers, Esquire, of New York, State of New York; and Army Seijas, Esquire, of Seattle, State of Washington, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. John W. Bricker, It is ordered that Joseph Hyman Nathanson, Esquire, of Toledo, State of Ohio; Otto H. Spengler, Esquire, of Toledo, State of Ohio; and Glen W. Shellhaas, Esquire, of Bellefontaine, State of Ohio, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Joseph Melville Broughton, It is ordered that William Henry Wolderness, Esquire, of Greensboro, State of North Carolina, and Daniel Newton Farnell, Jr., Esquire, of Greensboro, State of North Carolina, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. William Langer, It is ordered that Joseph H. Woell, Esquire, of Casselton, State of North Dakota, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Paul J. Kilday, It is ordered that Lester Whipple, Esquire, of San Antonio, State of Texas, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Wright Patman, It is ordered that Franklin Jones, Esquire, of Marshall, State of Texas, and Clay Alexis Brian, Esquire, of Marshall, State of Texas, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. William P. Rogers, It is ordered that Felix E. Larkin, Esquire, of New York, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. George A. Dondero, It is ordered that Jack William Hutson, Esquire, of Royal Oak, State of Michigan, and Maurice A. Merritt, Esquire, of Royal Oak, State of Michigan, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Frederick Bernays Wiener, It is ordered that Edward A. Lipton, Esquire, of New York, State of New York; Bertram Schwartz, Esquire, of New York, State of New York; Morris J. Levy, Esquire, of New York, State of New York; and C. W. Sellers, Esquire, of Cleveland, State of Ohio, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Francis W. Wozencraft, It is ordered that Cyril K. Richards, Esquire, of Austin, State of Texas, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Monson H. Lane, It is ordered that Dan Hadsell, Esquire, of San Francisco, State of California, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. James A. Cobb, It is ordered that J. Ernest Wilkins, Esquire, of Chicago, State of Illinois, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. John Alvin Croghan, It is ordered that Robert Lewis Young, Esquire, of Richmond, Commonwealth of Virginia, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Guilford Stanley Jameson, It is ordered that Thomas Bernard Larkin, Jr., Esquire, of San Francisco, State of California, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Thomas M. Cooley, II, It is ordered that Lee Epstein, Esquire, of New York, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Robert W. Lishman, It is ordered that Howard S. McMorris, Esquire, of New York, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Franklin S. Pollak, It is ordered that G. Frank Dougherty, Esquire, of New York, State of New York, and P. X. Downey, Esquire, of New York, State of New York, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. H. G. Meirick, It is ordered that Norman J. Sundlach, Esquire, of Belleville, State of Illinois, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. George Slipkin, It is ordered that Leo Ross, Esquire, of Washington, District of Columbia, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. James P. Kem, It is ordered that David P. Dabbs, Esquire, of Kansas City, State of Missouri, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

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International Union, U. A. W., A. F. of L., Local 232, et al., Petitioners, vs. Wisconsin Employment Relations Board, et al.	On writ of certiorari to the Supreme Court of the State of Wisconsin.

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THIS CAUSE came on to be heard on the transcript of the record from the Supreme Court of the State of Wisconsin, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is ordered and adjudged by this Court that the judgment of the said Supreme Court, in this cause, be, and the same is hereby, affirmed with costs.

Per Mr. Justice Jackson.

Dissenting opinion by Mr. Justice Douglas in which Mr. Justice Black and Mr. Justice Rutledge concur.

Dissenting opinion by Mr. Justice Murphy in which Mr. Justice Rutledge concurs.

International Union, U. A. W. ..., A. F. of L., Local 232, et al.,

Petitioners,

15 vs.

Wisconsin Employment Relations Board, et al.

On writ of certiorari to the Supreme Court of the State of Wisconsin.

THIS CAUSE came on to be heard on the transcript of the record from the Supreme Court of the State of Wisconsin, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is ordered and adjudged by this Court that the judgment of the said Supreme Court, in this cause, be, and the same is hereby, affirmed with costs.

Per Mr. Justice Jackson.

Dissenting opinion by Mr. Justice Douglas in which Mr. Justice Black and Mr. Justice Rutledge concur.

Dissenting opinion by Mr. Justice Murphy in which Mr. Justice Rutledge concurs.

Graver Tank & Mfg. Co., Inc., The Lincoln Electric Company, Graver Tank & Mfg. Corporation,

Petitioners,

184 vs.

The Linde Air Products Company.

On writ of certiorari to the United States Court of Appeals for the Seventh Circuit.

THIS CAUSE came on to be heard on the transcript of the record from the United States Court of Appeals for the Seventh Circuit, and was argued by counsel.

ON CONSIDERATION WHEREOF, it is ordered and adjudged by this Court that the judgment of the Court of Appeals, insofar as it reverses the judgment of the District Court be, and it is hereby, reversed and that the judgment of the District Court be in all things reinstated. It is further ordered that Graver Tank & Mfg. Co., et al., recover their costs in this case.

IT IS FURTHER ORDERED that this case be, and it is hereby, remanded to the United States District Court for the Northern District of Indiana for proceedings in conformity with the opinion of this Court.

Per Mr. Justice Jackson.

Concurring opinion by Mr. Justice Black in which Mr. Justice Douglas joins.

Graver Tank & Mfg. Co., Inc., The Lincoln Electric Company, Graver Tank & Mfg. Corporation,

Petitioners,

185 vs.

The Linde Air Products Company.

On writ of certiorari to the United States Court of Appeals for the Seventh Circuit.

THIS CAUSE came on to be heard on the transcript of the record from the United States Court of Appeals for the Seventh Circuit, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is now here ordered and adjudged by this Court that the judgment of the said United States Court of Appeals, in this cause, be, and the same is hereby, affirmed with costs; and that this cause be, and the same is hereby, remanded to the United States District Court for the Northern District of Indiana.

Per Mr. Justice Jackson.

Concurring opinion by Mr. Justice Black in which Mr. Justice Douglas joins.

John M. Daniel, as Attorney General of South Carolina, et al.,

Appellants,

297 vs.

Family Security Life Insurance Company, J. Gordon Floyd, et al.

Appeal from the United States District Court for the Eastern District of South Carolina.

THIS CAUSE came on to be heard on the transcript of the record from the United States District Court for the Eastern District of South Carolina, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is now here ordered and adjudged by this Court that the judgment of the said District Court, in this cause, be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the said District Court for proceedings in conformity with the opinion of this Court.

Per Mr. Justice Murphy.

Opinion announced by Mr. Justice Rutledge.

National Labor Relations Board,
Petitioner,
46 vs.
Stowe Spinning Company, et al.

On writ of certiorari to the United States Court of Appeals for the Fourth Circuit.

THIS CAUSE came on to be heard on the transcript of the record from the United States Court of Appeals for the Fourth Circuit, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is now here ordered and adjudged by this Court that the judgment of the said United States Court of Appeals, in this cause, be, and the same is hereby, reversed; and that this cause be, and the same is hereby, remanded to the Court of Appeals with direction to remand to the National Labor Relations Board for amendment of its order to conform to the Board's findings and the opinion of this Court.

Per Mr. Justice Murphy.
(Announced by Mr. Justice Rutledge)

Opinion by Mr. Justice Jackson dissenting in part.

Dissenting opinion by Mr. Justice Reed in which the Chief Justice joins.

United States of America, ex rel. Harold E. Hirshberg,
Petitioner,
231 vs.
Captain William R. Cooke, Jr., United States Navy, Commanding Officer, U. S. Naval Receiving Station, Brooklyn, New York.

On writ of certiorari to the United States Court of Appeals for the Second Circuit.

THIS CAUSE came on to be heard on the transcript of the record from the United States Court of Appeals for the Second Circuit, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is now here ordered and adjudged by this Court that the judgment of the said United States Circuit Court of Appeals, in this cause, be, and the same is hereby, reversed; and that this cause be, and the same is hereby, remanded to the United States District Court for the Eastern District of New York for proceedings in conformity with the opinion of this Court.

Per Mr. Justice Black.

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The Chief Justice announced the following order of the Court:

Albert Ralph Petti,

Petitioner,

118 vs.

The United States of America.

On writ of certiorari to the United States Court of Appeals for the Second Circuit.

It appearing to the Court that the Solicitor General of the United States has filed a memorandum consenting that the judgments below be vacated and the cause remanded to the District Court for a new trial.

THEREFORE, pursuant to said memorandum, it is ordered by this Court that the judgment of the Court of Appeals and the judgment of the District Court in this cause, be, and they are hereby, vacated.

IT IS FURTHER ORDERED that this cause be, and it is hereby, remanded to the United States District Court for the Southern District of New York with directions to grant a new trial.

Per Mr. Chief Justice Vinson.

The Chief Justice said:

"The other orders of the Court appear upon the list certified by the Chief Justice and filed with the clerk and will not be announced orally."

Hannah Cohen, Executrix of the Estate of Sol Cohen, Deceased, and David E. Cohen, Intervenor,

Petitioners,

442 vs.

Beneficial Industrial Loan Corporation, et al.

Order allowing certiorari.

The petition herein for a writ of certiorari to the United States Court of Appeals for the Third Circuit is granted.

And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

Beneficial Industrial Loan Corporation, Order allowing certiorari.

Petitioner,

512 vs.

Honorable William F. Smith, a Judge of the United States District Court for the District of New Jersey, et al.

The petition herein for a writ of certiorari to the United States Court of Appeals for the Third Circuit is granted.

And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

Federal Communications Commission, Order allowing certiorari.

Petitioner,

495 vs.

W J R, The Goodwill Station, Inc., and Coastal Plains Broadcasting Co., Inc.

The petition herein for a writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit is granted. The case is transferred to the summary docket.

And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

Mr. Justice Murphy took no part in the consideration or decision of this application.

Julius Ranny Ragan, Order allowing certiorari.

Petitioner,

522 vs.

Merchants Transfer & Warehouse Company, Inc.

The petition herein for a writ of certiorari to the United States Court of Appeals for the Tenth Circuit is granted. The case is transferred to the summary docket.

And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

Charles Quicksall,

Petitioner,

202, Misc. vs.

People of the State of Michigan.

ON CONSIDERATION of the petition for allowance of an appeal in this case, it is ordered by this Court that the said petition for appeal be, and it is hereby, denied.

TREATING the appeal papers herein from the Supreme Court of the State of Michigan as an application for a writ of certiorari, certiorari is granted and the case is ordered transferred to the appellate docket as No. 609.

Per Mr. Chief Justice Vinson.

Robert A. Watts,

Petitioner,

344, Misc. vs.

State of Indiana.

On petition for writ of certiorari to the Supreme Court of the State of Indiana.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, granted. The case is transferred to the appellate docket as No. 610.

The stay order of January 31, 1949, is continued and it is ordered that execution of the sentence of death be stayed pending the final disposition of this case by this Court.

Per Mr. Chief Justice Vinson.

Willis Allen, Roy G. Owens and Campaign Committee for California Bill of Rights Initiative Constitutional Amendment, Inc.,

Petitioners,

446 vs.

Arthur James McFadden and Frank M. Jordan, as Secretary of State of California.

On petition for writ of certiorari to the Supreme Court of the State of California.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of California, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Grady Lee McHugh,

Petitioner,

475 vs.

State of Florida.

On petition for writ of certiorari to the Supreme Court of the State of Florida.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of Florida, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Allied Paper Mills, et al.,

Petitioners,

477 vs.

Federal Trade Commission.

On petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Seventh Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Douglas Chandler,
Petitioner,
487 vs.
The United States of America.

On petition for writ of certiorari to the United States Court of Appeals for the First Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the First Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Jay M. Rowland,
Petitioner,
488 vs.
The State of Arkansas.

On petition for writ of certiorari to the Supreme Court of the State of Arkansas.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of Arkansas, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Samuel Kelley and Nathan Swann,
" Petitioners,
496 vs.
Judge Branch Johnson, et al.

On petition for writ of certiorari to the Supreme Court of Appeals of the Commonwealth of Virginia.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of Appeals of the Commonwealth of Virginia, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Pennsylvania Railroad Company,
Petitioner,
505 vs.
Antonio Corrado.

On petition for writ of certiorari to the United States Court of Appeals for the Second Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Second Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

International Longshoremen's and Warehousemen's Union, (C.I.O.) et al.,
Petitioners,
510 vs.
Cable A. Wirtz, as Judge of the Circuit Court of the Second Judicial Circuit, Territory of Hawaii, and Maui Agricultural Company, Limited.

On petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Ninth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Santo Bretagna,
Petitioner,
603 vs.
People of the State of New York.

On petition for writ of certiorari to the Court of Appeals of the State of New York.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Court of Appeals of the State of New York, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Income Bondholders of the Peoria and Eastern Railway Company,

Petitioners,

511 vs.

The New York Central Railroad Company, et al.

ON CONSIDERATION of the motion to dispense with the printing of the record in this case,

IT IS ORDERED by this Court that the said motion be, and it is hereby, granted.

Per Mr. Chief Justice Vinson.

Income Bondholders of the Peoria and Eastern Railway Company,

Petitioners,

511 vs.

The New York Central Railroad Company, et al.

On petition for writ of certiorari to the United States District Court for the Southern District of New York.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States District Court for the Southern District of New York, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

David Klor,

Petitioner,

516 vs.

People of the State of California.

ON CONSIDERATION of the motion to dispense with the printing of the record in this case,

IT IS ORDERED by this Court that the said motion be, and it is hereby, granted.

Per Mr. Chief Justice Vinson.

David Klor,

Petitioner,

516 vs.

People of the State of California.

On petition for writ of certiorari to the Supreme Court of the State of California.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of California, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Charles Kovacs,

Appellant,

9 vs.

Albert Cooper, Jr., Judge of the First District Police Court of Trenton.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

LeRoy J. Leishman,

Petitioner,

372 vs.

Radio Condenser Company, et al.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

William J. Cleary,

Petitioner,

460 vs.

Chicago Title and Trust Company.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Samuel F. Adams,

Petitioner,

196, Misc. vs.

W. H. Hiatt, Warden.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

George E. Hickman, as Administrator, etc.,

Petitioner,

292, Misc. vs.

John M. Taylor, et al.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Edmond L. Viles,

Petitioner,

287, Misc. vs.

Mead R. Johnson.

ON CONSIDERATION of the motion for leave to file a petition for rehearing in this case,

IT IS ORDERED by this Court that leave to file a petition for rehearing be, and it is hereby, denied.

Per Mr. Chief Justice Vinson.

The United States of America, ex rel. Mike Parker,

Petitioner,

55, Misc. vs.

Joseph E. Ragen, Warden.

On petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Seventh Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mary LeVan,

Petitioner,

283, Misc. vs.

O. M. Stiler, et al.

On petition for writ of certiorari to the Appellate Department of the Superior Court of the State of California.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Appellate Department of the Superior Court of the State of California, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Bud Lilly, Petitioner, vs. Robert A. Heinze, Warden. — On petition for writ of certiorari to the Supreme Court of the State of California.

320, Misc.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of California, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Eddie DeSoto, Petitioner, vs. People of the State of California. — On petition for writ of certiorari to the Supreme Court of the State of California.

326, Misc.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of California, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Thomas L. Mangan, Petitioner, vs. People of the State of California. — On petition for writ of certiorari to the Supreme Court of the State of California.

346, Misc.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of California, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Carl Kuh,

Petitioner,

352, Misc. vs.

Joseph E. Ragen, Warden.

On petition for writ of certiorari to the Criminal Court of Cook County of the State of Illinois.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Criminal Court of Cook County of the State of Illinois, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

John Pitts,

Petitioner,

357, Misc. vs.

Joseph E. Ragen, Warden.

On petition for writ of certiorari to the Supreme Court of the State of Illinois.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of Illinois, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

James Kelly,

Petitioner,

361, Misc. vs.

Joseph E. Ragen, Warden.

On petition for writ of certiorari to the Criminal Court of Cook County of the State of Illinois.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Criminal Court of Cook County of the State of Illinois, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

John M. Canada,

Petitioner,

387, Misc. vs.

James M. Jones, Warden of the Nebraska State Penitentiary.

On petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Eighth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Earl J. Brown,

Petitioner,

390, Misc. vs.

The People of the State of California.

On petition for writ of certiorari to the Supreme Court of the State of California.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of California, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mizell Palmer,

Petitioner,

393, Misc. vs.

State of Arkansas.

On petition for writ of certiorari to the Supreme Court of the State of Arkansas.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of Arkansas, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

William W. Curtis,

Petitioner,

218, Misc. vs.

W. H. Hiatt, Warden.

ON CONSIDERATION of the motion of petitioner to substitute the party respondent in this case,

IT IS ORDERED by this Court that George W. Humphrey, present Warden, be substituted as the party respondent in this case.

Per Mr. Chief Justice Vinson.

William W. Curtis, Petitioner, On petition for writ of certiorari to the United States Court of Appeals for the Third Circuit.

218, Misc. vs.

George W. Humphrey, Warden.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Third Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Raymond Grant,

Petitioner,

277, Misc. vs.

The United States of America.

ON CONSIDERATION of the motion for leave to file a petition for writ of certiorari in this case,

IT IS ORDERED by this Court that the said motion be, and it is hereby, denied.

Per Mr. Chief Justice Vinson.

Jefferson Kane,

Petitioner,

353, Misc. vs.

C. J. Burke, Warden.

ON CONSIDERATION of the motion for leave to file a petition for writ of habeas corpus herein,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Ex parte Ralph W. Greene,

Petitioner.

358, Misc.

ON CONSIDERATION of the application submitted herein by Ralph W. Greene,

IT IS ORDERED by this Court that the said application be, and it is hereby, denied.

Per Mr. Chief Justice Vinson.

James Wilson,

Petitioner,

383, Misc. vs.

Superior Court of San Joaquin County, California.

ON CONSIDERATION of the application submitted herein by James Wilson,

IT IS ORDERED by this Court that the said application be, and it is hereby, denied.

Per Mr. Chief Justice Vinson.

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Carl Aldo Marzani,

Petitioner,

59 vs.

The United States of America.

Reargument commenced by Mr. Allan R. Rosenberg for the petitioner; continued by Mr. Osmond K. Fraenkel for the petitioner; by Mr. Solicitor General Perlman for the respondent; by Mr. Allan R. Rosenberg for the petitioner; and concluded by Mr. Osmond K. Fraenkel for the petitioner.

The United States of America,

Appellant,

37 vs.

Women's Sportswear Manufacturers Association, et al.

Argument commenced by Mr. Robert L. Stern for the appellant.

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Proclamation being made the Court is adjourned until tomorrow at 12 o'clock.

Pursuant to adjournment the Court met at the Supreme Court Building.

PRESENT:

The Honorable Fred M. Vinson, Chief Justice,
Hugo L. Black,
Stanley Reed,
Felix Frankfurter,
William O. Douglas,
Frank Murphy,
Robert H. Jackson,
Wiley Rutledge,
Harold H. Burton. Associate Justices.

Thomas Ennalls Waggaman, Esquire, Marshal,
Charles Elmore Cropley, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. John W. Eckelberry, It is ordered that Edward C. First, Jr., Esquire, of Harrisburg, Commonwealth of Pennsylvania, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Walter W. Dosh, It is ordered that Thomas W. Beale, Esquire, of Louisville, Commonwealth of Kentucky, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. John A. Carroll, It is ordered that Oliver W. Weber, Esquire, of Boulder, State of Colorado, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

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The United States of America,

Appellant,

37 vs.

Women's Sportswear Manufacturers Association, et al.

Argument continued by Mr. Robert L. Stern for the appellant; by Mr. Harry Bergson for the appellees; and concluded by Mr. Robert L. Stern for the appellant.

The United States,

Petitioner,

299 vs.

Gerlach Live Stock Company;

The United States,

Petitioner,

300 vs.

J. Sheldon Potter;

The United States,

Petitioner,

301 vs.

Martin Erreca;

The United States,

Petitioner,

302 vs.

James J. Stevinson (a Corporation);

The United States,

Petitioner,

303 vs.

Archibald J. Stevinson; and

The United States,

Petitioner,

304 vs.

3-H Securities Company.

Argued by Mr. Ralph S. Boyd for the petitioner; by Mr. Edward F. Treadwell for the respondents; and by Mr. Warner W. Gardner for Gill, et al., amici curiae, by special leave of Court.

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Proclamation being made the Court is adjourned until tomorrow at 12 o'clock.

WEDNESDAY, MARCH 2, 1949.

Pursuant to adjournment the Court met at the Supreme Court Building.

PRESENT:

The Honorable Fred M. Vinson, Chief Justice,
Hugo L. Black,
Stanley Reed,
Felix Frankfurter,
William O. Douglas,
Frank Murphy,
Robert H. Jackson,
Wiley Rutledge,
Harold H. Burton.
Associate Justices.

Thomas Ennalls Waggaman, Esquire, Marshal,
Charles Elmore Cropley, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Jas. C. Davis, It is ordered that Foster Lee Evans, Esquire, of Atlanta, State of Georgia, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. James A. McKenna, Jr., It is ordered that Philip M. Baker, Esquire, of Washington, District of Columbia, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Claude Bayles Mickelwait, It is ordered that Frederick W. Denniston, Esquire, of Washington, District of Columbia, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Henry P. Chandler, It is ordered that Avern B. Scolnik, Esquire, of Chicago, State of Illinois, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. John A. Carroll, It is ordered that J. Fred Schneider, Esquire, of Denver, State of Colorado, be admitted to practice as an Attorney and Counsellor of this

Charles S. Aronstam,

Petitioner,

600 vs.

The New York Central Railroad Company, et al.; and

Eppler & Company,

Petitioner,

601 vs.

The New York Central Railroad Company, et al.

ON CONSIDERATION of the application of counsel for petitioners in these cases, it is ordered that the time for making service of petition, brief, and record be extended to a date which is not later than 10 days after the giving of notice by the Clerk of this Court to counsel for the petitioners that the printed record has been delivered to such Clerk.

Per Mr. Chief Justice Vinson.

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Welker B. Brooks,

Petitioner,

388 vs.

The United States of America; and

James M. Brooks, Administrator of the Estate of Arthur L. Brooks, Deceased,

Petitioner,

389 vs.

The United States of America.

Argued by Mr. W. S. Blakeney for the petitioners, and by Mr. Paul A. Sweeney for the respondent.

The United States of America,

Appellant,

330 vs.

The Interstate Commerce Commission, The United States of America, the Pennsylvania Railroad Company, et al.

Argued by Mr. Stanley M. Silverberg and Mr. David O. Mathews for the appellant; by Mr. Daniel W. Knowlton for the appellee, Interstate Commerce Commission; and by Mr. Windsor F. Cousins for the appellees, Railroad Intervenors.

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Santo Bretagna,

Petitioner,

603 vs.

The People of the State of New York.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

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Proclamation being made the Court is adjourned until tomorrow at 12 o'clock.

Pursuant to adjournment the Court met at the Supreme Court Building.

PRESENT:

The Honorable Fred M. Vinson, Chief Justice,
Hugo L. Black,
Stanley Reed,
Felix Frankfurter,
William O. Douglas,
Frank Murphy,
Robert H. Jackson,
Wiley Rutledge,
Harold H. Burton. Associate Justices.

Thomas Ennalls Waggaman, Esquire, Marshal,

Charles Elmore Cropley, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Richard K. Stevens, It is ordered that Guy R. M. del Giudice, Esquire, of New York, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. George E. McConley, It is ordered that Frank P. Lynch, Jr., Esquire, of Denver, State of Colorado, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Scott Paul Crampton, It is ordered that Abe Jacklen, Esquire, of Newark, State of New Jersey, and Isador Berlin, Esquire, of Newark, State of New Jersey, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

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Nye & Nissen (a Corporation) and Abraham Moncharsh,

Petitioners,

228 vs.

The United States of America.

Argued by Mr. Joseph B. Keenan for the petitioners and by Mr. Philip Elman for the respondent. Leave granted petitioners to file reply brief within 4 days.

Standard Oil Company of California and Standard Stations, Inc.,

Appellants,

279 vs.

The United States of America.

Three hours allowed for oral argument. Argument commenced by Mr. John M. Hall for the appellants and continued by Mr. Herbert A. Bergson for the appellee.

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Proclamation being made the Court is adjourned until tomorrow at 12 o'clock.

Pursuant to adjournment the Court met at the Supreme Court Building.

PRESENT:

The Honorable Fred M. Vinson, Chief Justice,
Hugo L. Black,
Stanley Reed,
Felix Frankfurter,
William O. Douglas,
Frank Murphy,
Robert H. Jackson,
Wiley Rutledge,
Harold H. Burton,
Associate Justices.

Thomas Ennalls Waggaman, Esquire, Marshal,

Charles Elmore Cropley, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Herbert A. Bergson, It is ordered that John J. Morris, Jr., Esquire, of Wilmington, State of Delaware, and George S. Ryan, Esquire, of Boston, Commonwealth of Massachusetts, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Chauncey W. Reed, It is ordered that Anthony R. Basile, Esquire, of Oak Park, State of Illinois, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Estes Kefauver, It is ordered that Clifford E. Sanders, Esquire, of Kingsport, State of Tennessee, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. John Carroll Morrissey, It is ordered that Frank Adams, Esquire, of New York, State of New York, and Peter Keber, Esquire, of New York, State of New York, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Alan C. Maxwell, It is ordered that Mearl G. Adams, Esquire, of Chicago, State of Illinois, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Stanley L. Temko, It is ordered that John B. Howard, Esquire, of Chicago, State of Illinois, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Charles B. Murray, It is ordered that Charles L. Sturtevant, Esquire, of Washington, District of Columbia, and William Hitz, Jr., Esquire, of Washington, District of Columbia, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

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Standard Oil Company of California
and Standard Stations, Inc.,

Appellants,

279 vs.

The United States of America.

Argument continued by Mr. Herbert A. Bergson for the appellee and concluded by Mr. John M. Hall for the appellants.

The United States of America,

Petitioner,

406 vs.

Harry S. Knight.

Argued by Mr. Philip R. Monahan for the petitioner and by Mr. Robert T. McCracken for the respondent.

George Smith,

Petitioner,

292 vs.

The United States of America.

Argument commenced by Mr. Walter R. Hart for the petitioner and continued by Mr. Harold D. Cohen for the respondent.

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Proclamation being made the Court is adjourned until Monday, March 7, next, at 12 o'clock.

MONDAY, MARCH 7, 1949.

Pursuant to adjournment the Court met at the Supreme Court Building.

PRESENT:

The Honorable Fred M. Vinson, Chief Justice,
Hugo L. Black,
Stanley Reed,
Felix Frankfurter,
William O. Douglas,
Frank Murphy,
Robert H. Jackson,
Wiley Rutledge,
Harold H. Burton.
Associate Justices.

Thomas Ennalls Waggaman, Esquire, Marshal,

Charles Elmore Cropley, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. James P. Kem, It is ordered that R. A. Brown, Jr., Esquire, of Saint Joseph, State of Missouri, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Jesse P. Walcott, It is ordered that Duncan J. McColl, Jr., Esquire, of Port Huron, State of Michigan, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Wm. W. Blackney, It is ordered that Louis D. McGregor, Esquire, of Flint, State of Michigan, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Solicitor General Philip B. Perlman, It is ordered that Robert C. Giles, Jr., Esquire, of Birmingham, State of Alabama, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Richard W. Galiher, It is ordered that S. Harrison Kahn, Esquire, of Washington, District of Columbia, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Reginald Carl Harmon, It is ordered that Harold LaVerne Holland, Esquire, of Dayton, State of Ohio, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Harry W. Colmery, It is ordered that Richard T. Brewster, Esquire, of Kansas City, State of Missouri, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Errett P. Scrivner, It is ordered that Nona E. Snyder, Esquire, of Kansas City, State of Kansas, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

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Oklahoma Tax Commission, Petitioner, vs. The Texas Company. On writ of certiorari to the Supreme Court of the State of Oklahoma.

40

THIS CAUSE came on to be heard on the transcript of the record from the Supreme Court of the State of Oklahoma, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is ordered and adjudged by this Court that the judgment of the said Supreme Court, in this cause, be, and the same is hereby, reversed with costs; and that this cause, be, and the same is hereby, remanded to the said Supreme Court for further proceedings not inconsistent with the opinion of this Court.

Per Mr. Justice Rutledge.

Mr. Justice Jackson concurs in the result.

Oklahoma Tax Commission,
Petitioner,
41 vs.
Magnolia Petroleum Company.

On writ of certiorari to the Supreme Court of the State of Oklahoma.

THIS CAUSE came on to be heard on the transcript of the record from the Supreme Court of the State of Oklahoma, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is ordered and adjudged by this Court that the judgment of the said Supreme Court, in this cause, be, and the same is hereby, reversed with costs; and that this cause, be, and the same is hereby, remanded to the said Supreme Court for further proceedings not inconsistent with the opinion of this Court.

Per Mr. Justice Rutledge.

Mr. Justice Jackson concurs in the result.

The City of New York,
Petitioner,
168 vs.
Lewis H. Saper, as Trustee in Bankruptcy of Spotlight Productions, Inc.

On writ of certiorari to the United States Court of Appeals for the Second Circuit.

THIS CAUSE came on to be heard on the transcript of the record from the United States Court of Appeals for the Second Circuit, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is now here ordered and adjudged by this Court that the judgment of the said United States Court of Appeals, in this cause, be, and the same is hereby, affirmed with costs; and that this cause be, and the same is hereby, remanded to the United States District Court for the Southern District of New York.

Per Mr. Justice Jackson.

Dissenting: Mr. Justice Reed.

State of New York,
Petitioner,
vs.
Leonard H. Carter, as Trustee in Bankruptcy.

On writ of certiorari to the United States Court of Appeals for the Second Circuit.

200

THIS CAUSE came on to be heard on the transcript of the record from the United States Court of Appeals for the Second Circuit, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is now here ordered and adjudged by this Court that the judgment of the said United States Court of Appeals, in this cause, be, and the same is hereby, affirmed with costs; and that this cause be, and the same is hereby, remanded to the United States District Court for the Southern District of New York.

Per Mr. Justice Jackson.

Dissenting: Mr. Justice Reed.

The United States of America,
Petitioner,
vs.
Leonard H. Carter, Trustee of Union Fabrics, Inc., Bankrupt.

On writ of certiorari to the United States Court of Appeals for the Second Circuit.

201

THIS CAUSE came on to be heard on the transcript of the record from the United States Court of Appeals for the Second Circuit, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is now here ordered and adjudged by this Court that the judgment of the said United States Court of Appeals, in this cause, be, and the same is hereby, affirmed; and that this cause be, and the same is hereby, remanded to the United States District Court for the Southern District of New York.

Per Mr. Justice Jackson.

Dissenting: Mr. Justice Reed.

Algoma Plywood and Veneer Company, Petitioner, vs. Wisconsin Employment Relations Board.

216

On writ of certiorari to the Supreme Court of the State of Wisconsin.

THIS CAUSE came on to be heard on the transcript of the record from the Supreme Court of the State of Wisconsin, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is ordered and adjudged by this Court that the judgment of the said Supreme Court, in this cause, be, and the same is hereby, affirmed with costs.

Per Mr. Justice Frankfurter.

Mr. Justice Rutledge and Mr. Justice Murphy concur in the result.

Dissenting opinion by Mr. Justice Black in which Mr. Justice Douglas joins.

Foley Bros., Inc., and Spencer, White & Prentis, Inc., Petitioners, vs. Frank Paul Filardo.

91

On writ of certiorari to the Supreme Court of the State of New York, New York County.

THIS CAUSE came on to be heard on the transcript of the record from the Supreme Court of the State of New York, New York County, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is ordered and adjudged by this Court that the judgment of the Court of Appeals in this cause, be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the Court of Appeals of the State of New York for proceedings not inconsistent with the opinion of this Court.

Per Mr. Justice Reed.

Concurring opinion by Mr. Justice Frankfurter in which Mr. Justice Jackson joins.

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The Chief Justice announced the following orders of the Court:

Carl Aldo Marzani,

Petitioner,

59 vs.

The United States of America.

On writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit.

THIS CAUSE came on to be heard on the transcript of the record from the United States Court of Appeals for the District of Columbia Circuit, and was reargued by counsel upon the granting of a petition for rehearing.

ON CONSIDERATION WHEREOF, it is ordered and adjudged by this Court as follows: The judgment of this Court entered December 20, 1948, affirming the judgment of the Court of Appeals by an equally divided Court is adhered to and the judgment of the Court of Appeals is reaffirmed by an equally divided Court.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this case.

J. W. Poore,

Petitioner,

517 vs.

State of Mississippi.

On petition for writ of certiorari to the Supreme Court of the State of Mississippi.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

J. W. Poore,

Appellant,

517 vs.

State of Mississippi.

Appeal from the Supreme Court of the State of Mississippi.

THIS CAUSE came on to be heard on the transcript of the record from the Supreme Court of the State of Mississippi, and was duly submitted.

ON CONSIDERATION WHEREOF, It is now here ordered by this Court that the appeal herein be, and the same is hereby, dismissed for the want of jurisdiction.

Per Mr. Chief Justice Vinson.

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The Chief Justice said:

"The other orders of the Court appear upon the list certified by the Chief Justice and filed with the Clerk and will not be announced orally."

The United States of America,

Appellant,

563 vs.

Yellow Cab Company, et al.

The statement of jurisdiction in this case having been submitted and considered by the Court, probable jurisdiction is noted.

Per Mr. Chief Justice Vinson.

The United States of America, ex rel. May Johnson,

Petitioner,

506 vs.

W. Frank Watkins, District Director of Immigration and Naturalization Service in the New York District, etc.

Order allowing certiorari.

The petition herein for a writ of certiorari to the United States Court of Appeals for the Second Circuit is granted.

And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Morrison T. Wade,

Petitioner,

453 vs.

The People of the State of Michigan.

On petition for writ of certiorari to the Recorder's Court for the City of Detroit, State of Michigan.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Recorder's Court for the City of Detroit, State of Michigan, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Ira Chase Koehne and John A. Savage,

Petitioners,

502 vs.

W. Bruce Matthews, United States Marshal and Curtis Reid, Resident Superintendent, District of Columbia Jail.

On petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the District of Columbia Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Burnham Chemical Company,

Petitioner,

513 vs.

Borax Consolidated, Ltd., Pacific Coast Borax Company, et al.

On petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Ninth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Horace Estol Walker,
Petitioner,
515 vs.
Arthur T. Galt, et al.

On petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Fifth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Atlantic Freight Lines, Inc.,
Petitioner,
518 vs.
Pennsylvania Public Utility Commission.

On petition for writ of certiorari to the Superior Court of the Commonwealth of Pennsylvania.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Superior Court of the Commonwealth of Pennsylvania, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Margaret E. Smith and Ruth Schuchman,
Petitioners,
521 vs.
State of Maryland.

On petition for writ of certiorari to the Court of Appeals of the State of Maryland.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Court of Appeals of the State of Maryland, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Turner County, South Dakota,

Petitioner,

541 vs.

Floyd Miller.

On petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Eighth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Vermilya-Brown Company, Inc., et al.,

Petitioners,

22 vs.

John Joseph Connell, et al.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Joe J. Fisher,

Petitioner,

45 vs.

R. C. Pace, Sheriff of Jasper County, Texas.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Lionel G. Ott, Commissioner of Public Finance and Ex-Officio City Treasurer of the City of New Orleans, et al.,

Appellants,

244 vs.

Mississippi Valley Barge Line Company, et al.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Nannie Ellyson Pollard, et al.,

Petitioners,

450 vs.

Clayton Hawfield, et al.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Dixie Cup Company,

Petitioner,

483 vs.

Paper Container Mfg. Company.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Jack L. Harris and B. T. Calhoun, Doing Business as Co-partners Under the Trade Name of H-C Products Company,

Petitioners,

489 vs.

National Machine Works, Inc., et al.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Laurie J. Carpenter,

Petitioner,

458 vs.

Rohm and Haas Co., Inc.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied for the reason that the application was not received within the time provided by Rule 33.

Per Mr. Chief Justice Vinson.

Laurie J. Carpenter,

Petitioner,

459 vs.

Erie Railroad Company.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied for the reason that the application was not received within the time provided by Rule 33.

Per Mr. Chief Justice Vinson.

Samuel Taylor,

Petitioner,

121, Misc. vs.

Tennyson Dennis, Warden.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Black took no part in the consideration or decision of this application.

Mary Gibbons,

Petitioner,

278, Misc. vs.

Hugo E. Brandt and Ruth E. Brandt.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

William Patrick, et al., Petitioners, vs. The United States of America.

221, Misc.

On petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Sixth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Charles Lee McIntosh, Sr., Petitioner, vs. The United States of America. 294, Misc.

On petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Sixth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Homer Binkley, Petitioner, vs. Walter A. Hunter, Warden. 306, Misc.

On petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Tenth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Charles Lee McIntosh, Petitioner, vs. Dr. M. J. Pescor, Warden. 315, Misc.

On petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Sixth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Roger Williams,

Petitioner,

330, Misc. vs.

State of Ohio.

On petition for writ of certiorari to the Supreme Court of the State of Ohio.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of Ohio, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Calvin Barnett,

Petitioner,

340, Misc. vs.

Joseph E. Ragen, Warden.

On petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Seventh Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Edgar W. Cook,

Petitioner,

349, Misc. vs.

The United States of America.

On petition for writ of certiorari to the United States Court of Appeals for the First Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the First Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Luhemitt White,

Petitioner,

354, Misc. vs.

Walter Nierstheimer, Warden.

On petition for writ of certiorari to the Circuit Court of Saint Clair County of the State of Illinois.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Circuit Court of Saint Clair County of the State of Illinois, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

William J. Stewart,

Petitioner,

355, Misc. vs.

L. F. Chapman, Superintendent.

On petition for writ of certiorari to the Supreme Court of the State of Florida.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of Florida, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Clark Campbell,

Petitioner,

365, Misc. vs.

Commonwealth of Pennsylvania.

On petition for writ of certiorari to the Supreme Court of the Commonwealth of Pennsylvania.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the Commonwealth of Pennsylvania, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Victor Earl Day, Petitioner, vs. State of Illinois. 367, Misc.

On petition for writ of certiorari to the Supreme Court of the State of Illinois.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of Illinois, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Harley Ray Franklin, Petitioner, vs. R. H. Hudspeth, Warden, et al. 368, Misc.

On petition for writ of certiorari to the Supreme Court of the State of Kansas.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of Kansas, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Robert Foster, Petitioner, vs. R. H. Hudspeth, Warden, et al. 370, Misc.

On petition for writ of certiorari to the Supreme Court of the State of Kansas.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of Kansas, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Henry Koblitz, Petitioner, vs. People of the State of Illinois.

371, Misc.

On petition for writ of certiorari to the Supreme Court of the State of Illinois.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of Illinois, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Walter Boreman, Petitioner, vs. People of the State of Illinois.

375, Misc.

On petition for writ of certiorari to the Supreme Court of the State of Illinois.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of Illinois, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Robert Johnson, Petitioner, vs. Joseph E. Ragen, Warden.

376, Misc.

On petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Seventh Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

W. E. Skelton,
Petitioner,
382, Misc. vs.
R. H. Hudspeth, Warden.

On petition for writ of certiorari to the Supreme Court of the State of Kansas.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of Kansas, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Johnnie Lee Johnson,
Petitioner,
386, Misc. vs.
State of Indiana.

On petition for writ of certiorari to the Lake County Criminal Court of the State of Indiana.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Lake County Criminal Court of the State of Indiana, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Joe Brown,
Petitioner,
388, Misc. vs.
R. H. Hudspeth, Warden.

On petition for writ of certiorari to the Supreme Court of the State of Kansas.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of Kansas, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Climmie Mathis,

Petitioner,

392, Misc. vs.

Joseph E. Ragen, Warden.

On petition for writ of certiorari to the Circuit Court of Peoria County of the State of Illinois.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Circuit Court of Peoria County of the State of Illinois, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Malachi Holiday,

Petitioner,

394, Misc. vs.

Warden of the Maryland State Penitentiary.

On petition for writ of certiorari to the Court of Appeals of the State of Maryland.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Court of Appeals of the State of Maryland, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Harry Meyers,

Petitioner,

397, Misc. vs.

F. S. Wilson.

On petition for writ of certiorari to the Supreme Court of the State of Illinois.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of Illinois, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Cecil Swain,

Petitioner,

402, Misc. vs.

Clinton T. Duffy, Warden.

On petition for writ of certiorari to the Supreme Court of the State of California.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of California, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mollie Eagle,

Petitioner,

406, Misc. vs.

Benjamin Cherney, et al.

On petition for writ of certiorari to the Court of Appeals of the State of New York.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Court of Appeals of the State of New York, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Ica A. Gore,

Petitioner,

411, Misc. vs.

Joseph E. Ragen, Warden.

On petition for writ of certiorari to the Superior Court of Cook County of the State of Illinois.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Superior Court of Cook County of the State of Illinois, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Frank Badgley and Robert Oscar Brown, Petitioners, vs. State of Indiana.
389, Misc.

On petition for writ of certiorari to the Supreme Court of the State of Indiana.

It appearing to the Court that counsel for the petitioners have filed a motion to dismiss the petition for writ of certiorari in this case,

Therefore, pursuant to said motion, it is ordered by this Court that the petition for writ of certiorari in this cause, be, and it is hereby, dismissed.

Per Mr. Chief Justice Vinson.

In the Matter of Hermann Dammann,
234, Misc. Petitioner;

In the Matter of George Schallermair,
249, Misc. Petitioner;

In the Matter of Max Seidel,
259, Misc. Petitioner;

In the Matter of Dr. Fridolin Puhr,
318, Misc. Petitioner; and

In the Matter of Hans Schmidt,
332, Misc. Petitioner.

Treating the application in each of these cases as a motion for leave to file a petition for an original writ of habeas corpus, leave to file is denied.

Per Mr. Chief Justice Vinson.

The Chief Justice, Mr. Justice Reed, Mr. Justice Frankfurter, and Mr. Justice Burton are of the opinion that there is want of jurisdiction. U. S. Constitution, Article III, Sec. 2, Clause 2; see Ex parte Betz and companion cases, all 329 U. S. 672 (1946); Milch v. United States, 332 U. S. 789 (1947); Brandt v. United States, 333 U. S. 836 (1948); In Re Eichel, 333 U. S. 865 (1948); Everett v. Truman, 334 U. S. 824 (1948).

Mr. Justice Black, Mr. Justice Douglas, Mr. Justice Murphy, and

Mr. Justice Rutledge are of the opinion that argument should be heard on the motions for leave to file the petitions in order to settle what remedy, if any, the petitioners have.

Mr. Justice Jackson took no part in the consideration or decision of these applications.

Bernard M. Shotkin,

Petitioner,

362, Misc. vs.

W. F. Perkins, et al.

ON CONSIDERATION of the petition for appeal submitted by Bernard M. Shotkin herein,

IT IS ORDERED by this Court that the said petition for appeal be, and it is hereby, denied.

Per Mr. Chief Justice Vinson.

Arthur Lee Willis,

Petitioner,

363, Misc. vs.

Dr. J. Leroy Wright, Warden.

ON CONSIDERATION of the motion for leave to file a petition for writ of habeas corpus herein,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Walter J. Kozdron,

Petitioner,

364, Misc. vs.

M. E. Ketchum, Warden.

ON CONSIDERATION of the motion for leave to file a petition for writ of habeas corpus herein,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Monroe Peters,

Petitioner,

366, Misc. vs.

State of Louisiana.

ON CONSIDERATION of the motion for leave to file a petition for writ of habeas corpus herein,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

William Alexander Elliott,

Petitioner,

369, Misc. vs.

Ralph Howard, Warden.

ON CONSIDERATION of the motion for leave to file a petition for writ of habeas corpus herein,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Charles Moseley,

Petitioner,

385, Misc. vs.

State of Illinois.

ON CONSIDERATION of the motion for leave to file a petition for writ of habeas corpus herein,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

In the Matter of Ulysses Maurice Parker,

396, Misc. Petitioner.

ON CONSIDERATION of the motion for leave to file a petition for writ of habeas corpus herein,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Leona May Cooke,

Petitioner,

404, Misc. vs.

Doctor Winfred Overholser.

ON CONSIDERATION of the motion for leave to file a petition for writ of habeas corpus herein,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mary A. Ruthven,

Petitioner,

409, Misc. vs.

Doctor Winfred Overholser, Superintendent.

ON CONSIDERATION of the motion for leave to file a petition for writ of habeas corpus herein,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Clarence Bertrand,

Petitioner,

410, Misc. vs.

Joseph E. Ragen, Warden.

ON CONSIDERATION of the motion for leave to file a petition for writ of habeas corpus herein,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

In the Matter of Donald W. Ramsey,

412, Misc. Petitioner.

ON CONSIDERATION of the motion for leave to file a petition for writ of habeas corpus herein,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Gene McCann, on Behalf of Himself, et al.,

Petitioners,

381, Misc. vs.

Tom C. Clark, Individually, et al.

ON CONSIDERATION of the motion for leave to file a petition for writ of mandamus herein,

IT IS ORDERED by this Court that the said motion be, and it is hereby, denied.

Per Mr. Chief Justice Vinson.

Max A. Steinberg,

Petitioner,

395, Misc. vs.

Honorable Judge Julius J. Hoffman.

ON CONSIDERATION of the motion for leave to file a petition for writ of mandamus herein,

IT IS ORDERED by this Court that the said motion be, and it is hereby, denied.

Per Mr. Chief Justice Vinson.

In the Matter of Bill K. Knight,

398, Misc. Petitioner.

ON CONSIDERATION of the motion for leave to file a petition for writ of mandamus herein,

IT IS ORDERED by this Court that the said motion be, and it is hereby, denied.

Per Mr. Chief Justice Vinson.

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The Court will take a recess from Monday, March 14, until Monday, March 28, next.

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George Smith,

Petitioner,

292 vs.

The United States of America.

Argument continued by Mr. Harold D. Cohen for the respondent and concluded by Mr. Walter R. Hart for the petitioner.

Frederick W. Wade,

Petitioner,

427 vs.

Walter A. Hunter, Warden, United States Penitentiary, Leavenworth, Kansas.

Argued by Mr. R. T. Brewster and Mr. N. E. Snyder for the petitioner and by Mr. Oscar Davis for the respondent.

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Proclamation being made the Court is adjourned until Monday, March 14, next, at 12 o'clock.

MONDAY, MARCH 11, 1940.

Pursuant to adjournment the Court met at the Supreme Court Building.

PRESENT:

Hugo L. Black,
Stanley Reed,
Felix Frankfurter,
Frank Murphy,
Robert H. Jackson,
Wiley Rutledge,
Harold H. Burton.
Associate Justices.

Thomas Ennalls Waggaman, Esquire, Marshal,
Charles Elmore Cropley, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Guy Cordon, It is ordered that T. Leland Brown, Esquire, of The Dalles, State of Oregon, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Solicitor General Philip B. Perlman, It is ordered that Joseph Raymond Wine, Jr., Esquire, of Helena, State of Montana, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. James Caleb Boggs, It is ordered that Harold Leshem, Esquire, of Wilmington, State of Delaware, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Elmore Whitehurst, It is ordered that William S. Kenney, Esquire, of Lowell, Commonwealth of Massachusetts; A. M. Larmore, Esquire, of West Grove, Commonwealth of Pennsylvania; and William J. Scarlett, Esquire, of Kennett Square, Commonwealth of Pennsylvania, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Homer Ferguson, It is ordered that George P. Gronewold, Esquire, of Battle Creek, State of Michigan, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. William S. Potter, It is ordered that James L. Latchum, Esquire, of Wilmington, State of Delaware, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. P. Bateman Ennis, It is ordered that Joseph W. Solomon, Esquire, of Detroit, State of Michigan, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Frederick Schafer, It is ordered that Edwin C. Woodhouse, Esquire, of Wilmington, State of Delaware, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. William T. Kelley, It is ordered that Robert B. Dawkins, Esquire, of McLean, Commonwealth of Virginia, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Henry P. Chandler, It is ordered that Rose August, of Honolulu, Territory of Hawaii, be admitted to practice as an Attorney and Counsellor of this Court, and she was sworn accordingly.

(Miss)

On motion first made to the Court in this behalf by Mr. William G. Stigler, It is ordered that Gladys E. Friel, of Tulsa, State of Oklahoma, be admitted to practice as an Attorney and Counsellor of this Court, and she was sworn accordingly.

(Mrs.)

On motion first made to the Court in this behalf by Mr. Howard Wilmurt Ameli, It is ordered that Miles W. Rehor, Esquire, of Bay Shore, State of New York, and Lindsay R. Henry, Esquire, of Babylon, State of New York, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

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Commissioner of Internal Revenue,
Petitioner,
83 vs.
Margaret R. Phipps.

On writ of certiorari to the United States Court of Appeals for the Tenth Circuit.

THIS CAUSE came on to be heard on the transcript of the record from the United States Court of Appeals for the Tenth Circuit, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is now here ordered and adjudged by this Court that the judgment of the said United States Court of Appeals, in this cause, be, and the same is hereby, reversed; and that this cause be, and the same is hereby, remanded to the said Court of Appeals for proceedings in conformity with the opinion of this Court.

Per Mr. Justice Murphy.

Mr. Justice Douglas concurs in the result.

Black Diamond Steamship Corporation,
Petitioner,
*121 vs.
Robert Stewart & Sons, Ltd., et al.; and

The United States of America,
Petitioner,
130 vs.
Robert Stewart & Sons, Ltd., et al.

On writs of certiorari to the United States Court of Appeals for the Second Circuit.

THIS CAUSE came on to be heard on the transcript of the record from the United States Court of Appeals for the Second Circuit, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is now here ordered and adjudged by this Court that the judgment of the said United States Court of Appeals, in this cause, be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the United States District Court for the Eastern District of New York for further proceedings in conformity with the opinion of this Court.

Per Mr. Justice Frankfurter.

Dissenting opinion by Mr. Justice Jackson in which Mr. Justice Reed and Mr. Justice Douglas join.

Dissenting opinion by Mr. Justice Rutledge.

*On June 13, 1949 an order was entered amending this judgment. See amended judgment in Minutes for June 13, 1949.

Ingram M. Stainback, Governor of the Territory of Hawaii, Walter D. Ackerman, Jr., Attorney General of the Territory of Hawaii, et al.,

Appellants,

52 vs.

Mo Hock Ke Lok Po, an Eleemosynary Corporation, et al.

Appeal from the United States District Court for the District of Hawaii.

THIS CAUSE came on to be heard on the transcript of the record from the United States District Court for the District of Hawaii, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is ordered by this Court that the appeal in this cause be, and the same is hereby, dismissed at the cost of the appellants.

Per Mr. Justice Reed.

Opinion by Mr. Justice Frankfurter concurring in part and dissenting in part in which Mr. Justice Rutledge joins.

Ingram M. Stainback, Governor of the Territory of Hawaii, Walter D. Ackerman, Jr., Attorney General of the Territory of Hawaii, et al.,

Petitioners,

474 vs.

Mo Hock Ke Lok Po, An Eleemosynary Corporation, et al.

Order allowing certiorari.

The petition herein for a writ of certiorari to the United States Court of Appeals for the Ninth Circuit is granted.

And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

Ingram M. Stainback, Governor of the Territory of Hawaii, Walter D. Ackerman, Jr., Attorney General of the Territory of Hawaii, et al.,

Petitioners,

vs.

Mo Hock Ke Lok Po, An Eleemosynary Corporation, et al.

On writ of certiorari to the United States Court of Appeals for the Ninth Circuit.

474

THIS CAUSE came on to be heard on the transcript of the record from the United States Court of Appeals for the Ninth Circuit before hearing and decision in the Court of Appeals, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is ordered and adjudged by this Court that the judgment of the United States District Court for the District of Hawaii, be, and it is hereby, reversed with costs. The record in case No. 52 having been used in the consideration of this case, it is ordered that petitioners Stainback, et al. recover one-half the cost of printing of such record.

IT IS FURTHER ORDERED that this cause be, and it is hereby, remanded to the United States District Court for the District of Hawaii with directions to dismiss the complaint.

Per Mr. Justice Reed.

Opinion by Mr. Justice Frankfurter concurring in part and dissenting in part in which Mr. Justice Rutledge joins.

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Mr. Justice Black said:

"The orders of the Court appear upon the list filed with the Clerk and will not be announced orally."

County of Los Angeles, a Body Politic and Corporate,

Appellant,

vs.

Southern California Telephone Company.

Appeal from the Supreme Court of the State of California.

514

THIS CAUSE came on to be heard on the transcript of the record from the Supreme Court of the State of California, and on motion to dismiss or affirm, which was duly submitted.

ON CONSIDERATION WHEREOF, It is now here ordered by this Court that the motion to dismiss the appeal herein be, and the same is hereby, granted.

IT IS FURTHER ORDERED that the appeal herein be, and it is hereby, dismissed for the want of a substantial federal question.

Per Mr. Chief Justice Vinson.

Standard Oil Company, a Corporation of the State of Indiana,

Appellant,

vs.

The Superior Court of the State of Delaware in and for New Castle County, et al.

Appeal from the Supreme Court of the State of Delaware.

529

THIS CAUSE came on to be heard on the transcript of the record from the Supreme Court of the State of Delaware, and was duly submitted.

ON CONSIDERATION WHEREOF, It is now here ordered by this Court that the appeal herein be, and the same is hereby, dismissed for the want of a substantial federal question.

Per Mr. Chief Justice Vinson.

Standard Oil Company, a Corporation of the State of Indiana,

Appellant,

530 vs.

The Superior Court of the State of Delaware in and for New Castle County, et al.

Appeal from the Supreme Court of the State of Delaware.

THIS CAUSE came on to be heard on the transcript of the record from the Supreme Court of the State of Delaware, and was duly submitted.

ON CONSIDERATION WHEREOF, It is now here ordered by this Court that the appeal herein be, and the same is hereby, dismissed for the want of a substantial federal question.

Per Mr. Chief Justice Vinson.

Standard Oil Company, a Corporation of the State of Indiana,

Appellant,

531 vs.

The Superior Court of the State of Delaware in and for New Castle County, et al.

Appeal from the Supreme Court of the State of Delaware.

THIS CAUSE came on to be heard on the transcript of the record from the Supreme Court of the State of Delaware, and was duly submitted.

ON CONSIDERATION WHEREOF, It is now here ordered by this Court that the appeal herein be, and the same is hereby, dismissed for the want of a substantial federal question.

Per Mr. Chief Justice Vinson.

James Rolla Thomas, for Himself and All Other Persons Similarly Situated,

Appellant,

535 vs.

The Daughters of Utah Pioneers, a Non-Profit Corporation, et al.

Appeal from the Supreme Court of the State of Utah.

THIS CAUSE came on to be heard on the transcript of the record from the Supreme Court of the State of Utah, and was duly submitted.

ON CONSIDERATION WHEREOF, It is now here ordered by this Court that the appeal herein be, and the same is hereby, dismissed for the want of a properly presented substantial federal question.

Per Mr. Chief Justice Vinson.

Leslie B. Fox,

Appellant,

vs.

Charles J. Fox.

Appeal from the Supreme Court of the State of New York, Cattaraugus County.

560

THIS CAUSE came on to be heard on the transcript of the record from the Supreme Court of the State of New York, Cattaraugus County, and on motion to dismiss or affirm, which was duly submitted.

ON CONSIDERATION WHEREOF, It is now here ordered by this Court that the motion to dismiss the appeal herein be, and the same is hereby, granted.

IT IS FURTHER ORDERED that the appeal herein be, and it is hereby, dismissed for the want of a substantial federal question.

Per Mr. Chief Justice Vinson.

William H. Riley, New Hampshire Labor Commissioner, et al.,

Petitioners,

vs.

International Brotherhood of Teamsters, Chauffeurs, Warehousemen and Helpers of America, Local Union No. 633, etc., et al.

Order allowing certiorari.

283

The petition herein for a writ of certiorari to the Supreme Court of the State of New Hampshire is granted.

And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

William H. Riley, New Hampshire Labor Commissioner, et al.,

Petitioners,

283 vs.

International Brotherhood of Teamsters, Chauffeurs, Warehousemen and Helpers of America, Local Union No. 633, etc., et al.

On writ of certiorari to the Supreme Court of the State of New Hampshire.

THIS CAUSE came on to be heard on the transcript of the record from the Supreme Court of the State of New Hampshire, and was duly submitted.

ON CONSIDERATION WHEREOF, It is ordered and adjudged by this Court that the judgment of the said Supreme Court, in this cause, be, and the same is hereby, vacated without costs in this Court, it appearing that the cause has become moot.

IT IS FURTHER ORDERED that this cause be, and the same is hereby, remanded to the said Supreme Court for such proceedings as by that court may be deemed appropriate.

Per Mr. Chief Justice Vinson.

Oscar F. Treichler, Executor of the Estate of Fred A. Miller,

Appellant,

547 vs.

State of Wisconsin.

The statement of jurisdiction in this case having been submitted and considered by the Court, probable jurisdiction is noted.

Per Mr. Chief Justice Vinson.

Elmer W. Henderson,

Appellant,

570 vs.

The United States of America, et al.

The statement of jurisdiction in this case having been submitted and considered by the Court, probable jurisdiction is noted.

Per Mr. Chief Justice Vinson.

The United States of America,

Petitioner,

473 vs.

Reginald P. Wittek.

ON CONSIDERATION of the motion to dispense with printing the brief in opposition to the petition for certiorari in this case,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, granted.

Per Mr. Chief Justice Vinson.

The United States of America,

Petitioner,

473 vs.

Reginald P. Wittek.

Order allowing certiorari.

The petition herein for a writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit is granted.

And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

T. M. Duche & Sons, Inc.,

Petitioner,

523 vs.

The United States.

On petition for writ of certiorari to the United States Court of Customs and Patent Appeals.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Customs and Patent Appeals, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mark Barrett Cosby, Petitioner, vs. David H. Harts, Florence J. Harts and Percy B. Johnston.

524

On petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Seventh Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Sarah Allison Painter, Administratrix of the Estate of Edwin D. Painter, Deceased, et al., Petitioners, vs. Southern Transportation Company.

539

On petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Fourth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Seaboard Air Line Railroad Company, Petitioner, vs. David Hinton, et al.

545

On petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Fourth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Thoger Gronberg Jungersen,

Petitioner,

7 vs.

Ostby and Barton Company and American Associates, Inc.;

Ostby and Barton Company and American Associates, Inc.,

Petitioners,

8 vs.

Thoger Gronberg Jungersen; and

Thoger Gronberg Jungersen,

Petitioner,

48 vs.

Robert Baden, Rose Baden, Albert Foss, et al.

ON CONSIDERATION of the petition of Thoger Gronberg Jungersen for reconsideration of the order denying leave to file a petition for rehearing in these cases,

IT IS ORDERED by this Court that the said petition be, and it is hereby, denied.

Per Mr. Chief Justice Vinson.

Frank C. Gierens and Nikolas J. Ferencak,

Petitioners,

462 vs.

People of the State of Illinois.

ON CONSIDERATION of the motion for leave to file a petition for rehearing in this case,

IT IS ORDERED by this Court that the said motion be, and it is hereby, denied.

Per Mr. Chief Justice Vinson.

Louis Burall,

Petitioner,

329, Misc. vs.

Tom C. Clark, Attorney General.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

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Proclamation being made the Court is adjourned until Monday, March 28, next, at 12 o'clock.

Pursuant to adjournment the Court met at the Supreme Court Building.

PRESENT:

The Honorable Fred M. Vinson, Chief Justice,
Hugo L. Black,
Stanley Reed,
Felix Frankfurter,
William O. Douglas,
Frank Murphy,
Robert H. Jackson,
Wiley Rutledge,
Harold H. Burton. Associate Justices.

Thomas Ennalls Waggaman, Esquire, Marshal,

Charles Elmore Cropley, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Paul J. Kilday, It is ordered that Robert F. Ritchie, Esquire, of Dallas, State of Texas; John K. Weber, Esquire, of San Antonio, State of Texas; and Leslie James Byrd, Esquire, of San Antonio, State of Texas, be admitted to practice as Attorney and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Henry P. Chandler, It is ordered that Maurice B. Johnston, Esquire, of Carlyle, State of Illinois, and Theodore D. Kahn, Esquire, of Chicago, State of Illinois, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Ray J. Madden, It is ordered that Robert G. Estill, Esquire, of East Chicago, State of Indiana, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. A. Walter Socolow, It is ordered that Joseph M. Cohen, Esquire, of New York, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Geo. Howard Wilson, It is ordered that Charles L. Tyler, Esquire, of Pryor, State of Oklahoma, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. John William Steen, It is ordered that Milton J. Donovan, Esquire, of Springfield, Commonwealth of Massachusetts, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Pasquale J. Federico, It is ordered that Giles Sutherland Rich, Esquire, of New York, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Gordon S. Parker, It is ordered that Willard Ray Crout, Esquire, of Pittsburgh, Commonwealth of Pennsylvania, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Samuel H. Jaffee, It is ordered that Meyer J. Myer, Esquire, of Chicago, State of Illinois, be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. John C. Herberg, It is ordered that John G. Adams, Esquire, of Sioux Falls, State of South Dakota, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Eugene E. Stevens, Jr., It is ordered that Harry L. Shure, Esquire, of Asbury Park, State of New Jersey, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Harry M. Plotkin, It is ordered that Leon R. Brooks, Esquire, of Boston, Commonwealth of Massachusetts, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. John J. Courtney, It is ordered that Lester J. Abele, Esquire, of Cleveland, State of Ohio, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. John F. Donelan, It is ordered that Edmund W. Sinnott, Esquire, of Chicago, State of Illinois, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Charles Sylvanus Rhyne, It is ordered that Cyrus C. Perry, Esquire, of Washington, District of Columbia, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Hugo V. Prucha, It is ordered that William Cohn, Esquire, of Chicago, State of Illinois, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Jack T. Conn, It is ordered that Robt. E. Shelton, Esquire, of Oklahoma City, State of Oklahoma, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

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The United States of America, Appellant, vs. Women's Sportswear Manufacturers Association, Hyman Cagan and Nathan Swartz, etc., et al.

37

Appeal from the United States District Court for the District of Massachusetts.

THIS CAUSE came on to be heard on the transcript of the record from the United States District Court for the District of Massachusetts, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is now here ordered and adjudged by this Court that the judgment of the said District Court, in this cause, be, and the same is hereby, reversed; and that this cause be, and the same is hereby, remanded to the said District Court for further proceedings in conformity with the opinion of this Court.

Per Mr. Justice Jackson.

Alvin Krulewitch, Petitioner, vs. The United States of America.

143

On writ of certiorari to the United States Court of Appeals for the Second Circuit.

THIS CAUSE came on to be heard on the transcript of the record from the United States Court of Appeals for the Second Circuit, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is now here ordered and adjudged by this Court that the judgment of the said United States Court of Appeals, in this cause, be, and the same is hereby, reversed; and that this cause be, and the same is hereby, remanded to the United States District Court for the Southern District of New York for further proceedings in conformity with the opinion of this Court.

Per Mr. Justice Black.

Opinion by Mr. Justice Jackson concurring in the judgment and opinion in which Mr. Justice Frankfurter and Mr. Justice Murphy join.

Dissenting opinion by Mr. Justice Burton.

National Carbide Corporation,
Petitioner,
151 vs.
Commissioner of Internal Revenue.

On writ of certiorari to the United States Court of Appeals for the Second Circuit.

THIS CAUSE came on to be heard on the transcript of the record from the United States Court of Appeals for the Second Circuit, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is now here ordered and adjudged by this Court that the judgment of the said United States Court of Appeals, in this cause, be, and the same is hereby, affirmed; and that this cause be, and the same is hereby, remanded to the said Court of Appeals.

Per Mr. Chief Justice Vinson.

Air Reduction Sales Company,
Petitioner,
152 vs.
Commissioner of Internal Revenue.

On writ of certiorari to the United States Court of Appeals for the Second Circuit.

THIS CAUSE came on to be heard on the transcript of the record from the United States Court of Appeals for the Second Circuit, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is now here ordered and adjudged by this Court that the judgment of the said United States Court of Appeals, in this cause, be, and the same is hereby, affirmed; and that this cause be, and the same is hereby, remanded to the said Court of Appeals.

Per Mr. Chief Justice Vinson.

Pure Carbonic, Inc., Petitioner, vs. Commissioner of Internal Revenue. — On writ of certiorari to the United States Court of Appeals for the Second Circuit.

153

THIS CAUSE came on to be heard on the transcript of the record from the United States Court of Appeals for the Second Circuit, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is now here ordered and adjudged by this Court that the judgment of the said United States Court of Appeals, in this cause, be, and the same is hereby, affirmed; and that this cause be, and the same is hereby, remanded to the said Court of Appeals.

Per Mr. Chief Justice Vinson.

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The Chief Justice announced the following orders of the Court:

The Boston Railroad Holding Company and the New York, New Haven & Hartford Railroad Company, Appellants, vs. The Delaware and Hudson Company, et al. — Appeal from the Supreme Judicial Court of the Commonwealth of Massachusetts.

533

THIS CAUSE came on to be heard on the transcript of the record from the Supreme Judicial Court of the Commonwealth of Massachusetts, and was duly submitted.

ON CONSIDERATION WHEREOF, It is now here ordered by this Court that the appeal herein be, and the same is hereby, dismissed for the want of a substantial federal question.

Per Mr. Chief Justice Vinson.

Riley Odom,

Appellant,

551 vs.

State of Mississippi.

ON CONSIDERATION of the motion for leave to proceed further herein in forma pauperis,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, granted.

Per Mr. Chief Justice Vinson.

Riley Odom,

Appellant,

551 vs.

State of Mississippi.

Appeal from the Supreme Court of the State of Mississippi.

THIS CAUSE came on to be heard on the transcript of the record from the Supreme Court of the State of Mississippi, and was duly submitted.

ON CONSIDERATION WHEREOF, It is now here ordered by this Court that the appeal herein be, and the same is hereby, dismissed.

Per Mr. Chief Justice Vinson.

Riley Odom,

Petitioner,

551 vs.

State of Mississippi.

On petition for writ of certiorari to the Supreme Court of the State of Mississippi.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of Mississippi, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Cora L. Lagemann,

Appellant,

557 vs.

Harold B. Lagemann.

Appeal from the Supreme Court of the State of Nevada.

THIS CAUSE came on to be heard on the transcript of the record from the Supreme Court of the State of Nevada, and was duly submitted.

ON CONSIDERATION WHEREOF, It is now here ordered by this Court that the appeal herein be, and the same is hereby, dismissed for the want of a substantial federal question.

Per Mr. Chief Justice Vinson.

Vincenzo Iannella and Frank S. Russo,

Appellants,

569 vs.

Arvid Johnson, Recorder of the Township of Piscataway, New Jersey, et al.

Appeal from the Supreme Court of the State of New Jersey.

THIS CAUSE came on to be heard on the transcript of the record from the Supreme Court of the State of New Jersey, and on motion to dismiss, which was duly submitted.

ON CONSIDERATION WHEREOF, It is now here ordered by this Court that the motion to dismiss the appeal herein be, and the same is hereby, granted.

IT IS FURTHER ORDERED that the appeal herein be, and the same is hereby, dismissed for the want of a substantial federal question.

Per Mr. Chief Justice Vinson.

Woodworth McLaurin,

Appellant,

581 vs.

State of Mississippi.

ON CONSIDERATION of the motion for leave to proceed further herein in forma pauperis,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, granted.

Per Mr. Chief Justice Vinson.

Woodworth McLaurin,

Appellant,

581 vs.

State of Mississippi.

Appeal from the Supreme Court of the State of Mississippi.

THIS CAUSE came on to be heard on the transcript of the record from the Supreme Court of the State of Mississippi, and was duly submitted.

ON CONSIDERATION WHEREOF, It is now here ordered by this Court that the appeal herein be, and the same is hereby, dismissed for the want of jurisdiction.

Per Mr. Chief Justice Vinson.

Woodworth McLaurin,

Petitioner,

581 vs.

State of Mississippi.

On petition for writ of certiorari to the Supreme Court of the State of Mississippi.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of Mississippi, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Milton J. Schnell, Individually and as a Member of the Board of Election Registrars of Mobile County, Alabama, et al.,

Appellants,

606 vs.

Hunter Davis, et al.

Appeal from the United States District Court for the Southern District of Alabama.

THIS CAUSE came on to be heard on the transcript of the record from the United States District Court for the Southern District of Alabama, and was duly submitted.

ON CONSIDERATION WHEREOF, It is ordered, adjudged, and decreed by this Court that the decree of the said District Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Chief Justice Vinson.

Mr. Justice Reed, in view of the fact that a constitutional provision of a state is involved, presented by the Attorney General, is of the opinion that probable jurisdiction should be noted and the case set down for argument.

Great Northern Railway Company, Appellant, vs. The United States of America, Interstate Commerce Commission, General Mills, Inc., et al. — Appeal from the United States District Court for the District of Delaware.

621

THIS CAUSE came on to be heard on the transcript of the record from the United States District Court for the District of Delaware, and on motion to affirm, which was duly submitted.

ON CONSIDERATION WHEREOF, It is ordered by this Court that the motion to affirm in this cause be, and the same is hereby, granted.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that the decree of the said District Court, in this cause, be, and the same is hereby, affirmed.

Per Mr. Chief Justice Vinson.

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The Chief Justice said:

"The other orders of the Court appear upon the list certified by the Chief Justice and filed with the clerk and will not be announced orally."

The United States of America, Appellant, vs. Morris Zisblatt. — Appeal from the United States District Court for the Southern District of New York.

626

IT APPEARING to the Court that the Solicitor General of the United States has filed a motion to dismiss the appeal in this case,

THEREFORE, pursuant to said motion, it is ordered by this Court that the appeal herein, be, and it is hereby, dismissed.

Per Mr. Chief Justice Vinson.

Gerhart Eisler,

Petitioner,

255 vs.

The United States of America.

ON CONSIDERATION of the motion for leave to present oral argument on behalf of Edward K. Barsky, et al., as amici curiae in this case,

IT IS ORDERED by this Court that the said motion be, and it is hereby, denied.

Per Mr. Chief Justice Vinson.

Stephen J. Roth, Attorney General of the State of Michigan,

Appellant,

566 vs.

Preston Delano, Comptroller of the Currency of the United States of America, et al.

The statement of jurisdiction in this case having been submitted and considered by the Court, further consideration of the question of the jurisdiction of this Court and of the motion to dismiss or affirm is postponed to the hearing of the case on the merits.

Per Mr. Chief Justice Vinson.

Samuel Titto Williams,

Appellant,

671 vs.

People of the State of New York.

The statement of jurisdiction in this case having been submitted and considered by the Court, probable jurisdiction is noted and the case is assigned for argument during the week of April 18th.

Per Mr. Chief Justice Vinson.

Harold Roland Christoffel, Order allowing certiorari.

Petitioner,

528 vs.

The United States of America.

The petition herein for a writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit is granted. The case is assigned for argument during the week of April 18, 1949.

And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

Standard-Vacuum Oil Company, Order allowing certiorari.

Petitioner,

532 vs.

The United States.

The petition herein for a writ of certiorari to the Court of Claims is granted. And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ. The case is transferred to the summary docket.

Per Mr. Chief Justice Vinson.

Todd C. Faulkner, Order allowing certiorari.

Petitioner,

537 vs.

John T. Gibbs.

The petition herein for a writ of certiorari to the United States Court of Appeals for the Ninth Circuit is granted.

And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

Federal Power Commission,
Petitioner,
vs.
558
Panhandle Eastern Pipe Line Company, et al.

Order allowing certiorari.

The petition herein for a writ of certiorari to the United States Court of Appeals for the Third Circuit is granted.

And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

Leroy Carter,
Petitioner,
vs.
565
Atlanta and Saint Andrews Bay Railway Company, a Body Corporate.

Order allowing certiorari.

The petition herein for a writ of certiorari to the United States Court of Appeals for the Fifth Circuit is granted.

And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

City of Omaha, a Municipal Corporation, Charles W. Leeman, Mayor, et al.,
Petitioners,
vs.
507
Frank Brothers Footwear, Inc., a Corporation.

On petition for writ of certiorari to the Supreme Court of the State of Nebraska.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of Nebraska, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Birch Securities Company,
Petitioner,
519 vs.
People of the State of California.

On petition for writ of certiorari to the District Court of Appeal, 3d Appellate District, State of California.

ON CONSIDERATION of the petition for a writ of certiorari herein to the District Court of Appeal, 3d Appellate District, State of California, It is ordered by this Court that the said petition be, and the same is hereby denied.

Per Mr. Chief Justice Vinson.

The J. D. Richardson Company,
Petitioner,
534 vs.
The United States.

On petition for writ of certiorari to the Court of Customs and Patent Appeals.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Court of Customs and Patent Appeals, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Sidney S. Levine, as Executor Under the Last Will and Testament of Anna M. Kane, Deceased,
Petitioner,
536 vs.
The United States.

On petition for writ of certiorari to The Court of Claims.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Court of Claims and of the argument of counsel thereupon had, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Lee M. Friedman,

Petitioner,

538 vs.

Denis W. Delaney, Collector of Internal Revenue for the District of Massachusetts.

On petition for writ of certiorari to the United States Court of Appeals for the First Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the First Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Edgar J. Schoen,

Petitioner,

543 vs.

Mountain Producers Corporation, et al.

On petition for writ of certiorari to the United States Court of Appeals for the Third Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Third Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Walter T. Gunn,

Petitioner,

546 vs.

Vincent Y. Dallman, Individually and as Collector of Internal Revenue for the 8th Collection District of Illinois.

On petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Seventh Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Cary R. Alburn, Trustee Under the Last Will and Testament of Charles H. Salmons, Deceased, et al., Petitioners,

549 vs.

The Union Trust Company, East 9th Street and Euclid Avenue, Cleveland, Ohio, et al.

On petition for writ of certiorari to the Supreme Court of the State of Ohio.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of Ohio, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Cary R. Alburn, Trustee Under the Last Will and Testament of Charles H. Salmons, Deceased, et al., Petitioners,

550 vs.

The National City Bank of Cleveland, etc., et al.

On petition for writ of certiorari to the Supreme Court of the State of Ohio.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of Ohio, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Thomas J. O'Neill, Petitioner,

552 vs.

Commissioner of Internal Revenue.

On petition for writ of certiorari to the United States Court of Appeals for the Second Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Second Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Elijah Crippen, Trustee of Lone Star Air Cargo Lines, Inc., Bankrupt,

Petitioner,

554 vs.

City of Dallas.

On petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Fifth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

New Amsterdam Casualty Company,

Petitioner,

559 vs.

A. Cimpi Express Lines, Inc., et al.

On petition for writ of certiorari to the Court of Appeals of the State of New York.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Court of Appeals of the State of New York, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Tucker Products Corporation,

Petitioner,

564 vs.

George S. Helms, Harold T. Thrash, et al.

On petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Ninth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Hazeltine Research, Inc., Petitioner, vs. General Motors Corporation.

582

On petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Sixth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Clyde Wilkerson, Petitioner, vs. Wilson McCarthy and Henry Swan, as Trustees, etc.

53

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Jay M. Rowland, Petitioner, vs. The State of Arkansas.

488

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Charles C. Patterson,

Petitioner,

456 vs.

J. B. Gray.

ON CONSIDERATION of the motion for leave to file a petition for rehearing in this case,

IT IS ORDERED by this Court that the said motion be, and it is hereby, denied.

Per Mr. Chief Justice Vinson.

Edward A. Haley,

Petitioner,

193, Misc. vs.

Commonwealth of Pennsylvania.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

William W. Curtis,

Petitioner,

218, Misc. vs.

George W. Humphrey, Warden.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

In the Matter of Charles E. McAdam,

334, Misc. Petitioner.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Leonard Joseph Morandy, Petitioner, vs. The United States of America.

235, Misc.

On petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Ninth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

William H. Jackson, Petitioner, vs. William H. Hiatt, Warden.

245, Misc.

On petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Fifth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Bert Ivan Grimm,

Petitioner,

247, Misc. vs.

Ben B. Stewart, Warden.

On petition for writ of certiorari to the Supreme Court of the State of Missouri.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of Missouri, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Frank Cassel,

Petitioner,

257, Misc. vs.

Dr. Winfred Overholser.

On petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the District of Columbia Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

James McGregor,

Petitioner,

262, Misc. vs.

Joseph E. Ragen, Warden.

On petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Seventh Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

James R. Kelley,
Petitioner,
351, Misc. vs.
Delaware, Lackawanna and Western Railroad.

On petition for writ of certiorari to the United States Court of Appeals for the First Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the First Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

David Blackwell,
Petitioner,
356, Misc. vs.
State of Nevada.

On petition for writ of certiorari to the Supreme Court of the State of Nevada.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of Nevada, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

James Steele,
Petitioner,
360, Misc. vs.
J. Vernal Jackson, Warden.

On petition for writ of certiorari to the United States Court of Appeals for the Second Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Second Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Lawrence Janiec,

Petitioner,

399, Misc. vs.

State of New Jersey.

On petition for writ of certiorari to the Supreme Court of the State of New Jersey.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of New Jersey, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Frank Smith,

Petitioner,

401, Misc. vs.

R. H. Hudspeth, Warden.

On petition for writ of certiorari to the Supreme Court of the State of Kansas.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of Kansas, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Clarence Blevins,

Petitioner,

407, Misc. vs.

R. H. Hudspeth, Warden.

On petition for writ of certiorari to the Supreme Court of the State of Kansas.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of Kansas, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Ronald C. Blauvelt, Petitioner, vs. People of the State of New York. 418, Misc.

On petition for writ of certiorari to the Court of Appeals of the State of New York.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Court of Appeals of the State of New York, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Harold L. Lawrence, Petitioner, vs. Ben B. Stewart, Warden. 421, Misc.

On petition for writ of certiorari to the Supreme Court of the State of Missouri.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of Missouri, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Kenneth Rogers, Petitioner, vs. State of Indiana. 422, Misc.

On petition for writ of certiorari to the Supreme Court of the State of Indiana.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of Indiana, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Thomas Kallas,

Petitioner,

479, Misc. vs.

State of Indiana.

On petition for writ of certiorari to the Supreme Court of the State of Indiana.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of Indiana, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Erwin M. Walker,

Petitioner,

492, Misc. vs.

People of the State of California.

On petition for writ of certiorari to the Supreme Court of the State of California.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of California, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Harold H. Enfield,

Petitioner,

348, Misc. vs.

The Blow Company, Inc., et al.

ON CONSIDERATION of the motion for leave to file a petition for writ of certiorari in this case,

IT IS ORDERED by this Court that the said motion be, and it is hereby, denied.

Per Mr. Chief Justice Vinson.

Amos Dale,

Petitioner,

405, Misc. vs.

Robert A. Heinze, Warden.

ON CONSIDERATION of the motion for leave to file a petition for writ of habeas corpus herein,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Dan Williams, Jr.,

Petitioner,

423, Misc. vs.

Doctor Winfred Overholser, Superintendent.

ON CONSIDERATION of the motion for leave to file a petition for writ of habeas corpus herein,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Ex parte Louisiana Farmers Protective Union, Inc.,

430, Misc. Petitioner.

ON CONSIDERATION of the motion for leave to file a petition for writ of mandamus herein,

IT IS ORDERED by this Court that the said motion be, and it is hereby, denied.

Per Mr. Chief Justice Vinson.

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The Court will take a recess from Monday, April 4, until Monday, April 18, next.

Gerhart Eisler,

Petitioner,

255 vs.

The United States of America.

Argued by Mr. David Rein and Mr. Abraham J. Isserman for the petitioner and by Mr. Solicitor General Perlman for the respondent.

Henry M. Propper, as Receiver of the Property and Assets Within the State of New York of A. K. M.,

Petitioner,

390 vs.

Tom C. Clark, Attorney General, as Successor to the Alien Property Custodian.

Argument commenced by Mr. A. Walter Socolow for the petitioner and continued by Mr. Louis D. Frohlich for Deems Taylor.

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Proclamation being made the Court is adjourned until tomorrow at 12 o'clock.

TUESDAY, MARCH 29, 1949.

Pursuant to adjournment the Court met at the Supreme Court Building.

PRESENT:

The Honorable Fred M. Vinson, Chief Justice,
Hugo L. Black,
Stanley Reed,
Felix Frankfurter,
William O. Douglas,
Frank Murphy,
Robert H. Jackson,
Wiley Rutledge,
Harold H. Burton,
Associate Justices.

Thomas Ennalls Waggaman, Esquire, Marshal,

Charles Elmore Cropley, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Martin Menter, It is ordered that Robert Alan Green, Esquire, of New York, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. David Schwartz, It is ordered that Samuel Feldman, Esquire, of New York, State of New York, and Joseph Laufer, Esquire, of Washington, District of Columbia, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Howard Wilmurt Ameli, It is ordered that Joseph H. Wackerman, Esquire, of Brooklyn, State of New York, and Oscar Murov, Esquire, of Lindenhurst, State of New York, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. John Caren, It is ordered that John P. McMahon, Esquire, of Columbus, State of Ohio, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. David Reich, It is ordered that Leon Alexander, Esquire, of Lebanon, State of Tennessee, and George Byron Wells, Esquire, of Detroit, State of Michigan, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Arthur C. Perry, It is ordered that John C. Cain, Esquire, of Dallas, State of Texas, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Reginald Carl Harmon, It is ordered that Guy M. Meadows, Esquire, of Washington, District of Columbia, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

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Henry M. Propper, as Receiver of the Property and Assets Within the State of New York of A. K. M.,

Petitioner,

390 vs.

Tom C. Clark, Attorney General, as Successor to the Alien Property Custodian.

Argument continued by Mr. David Schwartz for the respondent; by Mr. Joseph M. Cohen and Mr. A. Walter Socolow for the petitioner; and concluded by Mr. David Schwartz for the respondent.

The United States of America,

Appellant,

416 vs.

Wallace & Tiernan Company, Inc., et al.

Argued by Mr. Arnold Raum for the appellant and by Mr. Charles H. Tuttle for the appellees.

Wheeling Steel Corporation,

Appellant,

447 vs.

C. Emory Glander, Tax Commissioner of Ohio.

Argued by Mr. John M. Caren for the appellant and by Mr. W. H. Annat for the appellee.

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Proclamation being made the Court is adjourned until tomorrow at 12 o'clock.

Pursuant to adjournment the Court met at the Supreme Court Building.

PRESENT:

The Honorable Fred M. Vinson, Chief Justice,
Hugo L. Black,
Stanley Reed,
Felix Frankfurter,
William O. Douglas,
Frank Murphy,
Robert H. Jackson,
Wiley Rutledge,
Harold H. Burton.
Associate Justices.

Thomas Ennalls Waggaman, Esquire, Marshal,
Charles Elmore Cropley, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Robert W. Ginnane, It is ordered that Alexander Campbell-Murrelle II, Esquire, of Houston, State of Texas, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Arthur O'Quin, It is ordered that Calvin A. Brown, Esquire, of Findlay, State of Ohio, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Archie K. Shipe, It is ordered that James J. Dougherty, Esquire, of Philadelphia, Commonwealth of Pennsylvania, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Abraham J. Multer, It is ordered that Milton A. Seymour, Esquire, of New York, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Pat H. Eager, Jr., It is ordered that Phil Stone, Esquire, of Oxford, State of Mississippi, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Edward W. Shepard, It is ordered that Alfred W. Vibber, Esquire, of Paterson, State of New Jersey, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Philip Bergson, It is ordered that Bernard W. Mages, Esquire, of Chicago, State of Illinois, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

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National Distillers Products Corporation,
New York,

Appellant,

448 vs.

C. Emory Glander, Tax Commissioner of
Ohio.

Argued by Mr. Charles H. Tuttle for the appellant and by Mr. W. H. Annat for the appellee.

George W. Humphrey, Warden, United States
Penitentiary, Lewisburg, Pennsylvania,

Petitioner,

457 vs.

Bernard W. Smith.

Argued by Mr. Robert W. Ginnane for the petitioner and by Mr. Daniel F. Mathews for the respondent.

J. S. Woods,

Petitioner,

465 vs.

Interstate Realty Company.

Argument commenced by Mr. P. H. Eager, Jr., for the petitioner and continued by Mr. Phil Stone for the respondent.

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Proclamation being made the Court is adjourned until tomorrow at 12 o'clock.

THURSDAY, MARCH 31, 1949.

Pursuant to adjournment the Court met at the Supreme Court Building.

PRESENT:

The Honorable Fred M. Vinson, Chief Justice,
Hugo L. Black,
Stanley Reed,
Felix Frankfurter,
William O. Douglas,
Frank Murphy,
Robert H. Jackson,
Wiley Rutledge,
Harold H. Burton,
Associate Justices.

Thomas Ennalls Waggaman, Esquire, Marshal,

Charles Elmore Cropley, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Jas. C. Davis, It is ordered that Elmer Newell Jones, Esquire, of Atlanta, State of Georgia, and Howard Dewey Allen, Esquire, of Atlanta, State of Georgia, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Robert F. Jackson, It is ordered that Albert J. Crawford, Jr., Esquire, of Media, Commonwealth of Pennsylvania, and John R. Graham, Esquire, of Media, Commonwealth of Pennsylvania, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Irving Jaffe, It is ordered that Harry Meisel, Esquire, of New York, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Belford Vance Lawson, Jr., It is ordered that Jawn A. Sandifer, Esquire, of New York, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Burton A. Zorn, It is ordered that Edwin P. Kaufman, Esquire, of New York, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

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J. S. Woods,

Petitioner,

465 vs.

Interstate Realty Company.

Argument continued by Mr. Phil Stone and Mr. John A. Oseinach for the respondent and concluded by Mr. P. H. Eager, Jr., for the petitioner.

Clayton Mark & Company, Enameled Metals Company, Fretz-Moon Tube Company, Inc., et al.,

Petitioners,

464 vs.

Federal Trade Commission.

Three hours allowed for oral argument. Argued by Mr. Albert R. Connelly for the petitioners and by Mr. Charles H. Weston for the respondent. Leave granted petitioners to file reply brief within 10 days.

The Union National Bank of Wichita, Kansas,

Appellant,

500 vs.

Carl C. Lamb.

Argued by Mr. Maurice J. O'Sullivan for the appellant and submitted by Mr. Daniel L. Brenner for the appellee.

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Proclamation being made the Court is adjourned until Monday, April 4, next, at 12 o'clock.

MONDAY, APRIL 1, 1940.

Pursuant to adjournment the Court met at the Supreme Court Building.

PRESENT:

The Honorable Fred M. Vinson, Chief Justice,
Hugo L. Black,
Stanley Reed,
Felix Frankfurter,
William O. Douglas,
Frank Murphy,
Robert H. Jackson,
Wiley Rutledge,
Harold H. Burton. Associate Justices.

Thomas Ennalls Waggaman, Esquire, Marshal,

Charles Elmore Cropley, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Solicitor General Philip B. Perlman, It is ordered that John A. Looby, Jr., Esquire, of Chicago, State of Illinois; Robert L. Harrington, Esquire, of Van Wert, State of Ohio; and Cathryn L. Harrington, of Van Wert, State of Ohio, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly. (Mrs.)

On motion first made to the Court in this behalf by Mr. John E. McClure, It is ordered that David S. Hecht, Esquire, of New York, State of New York; Barnabas B. Hadfield, Esquire, of New York, State of New York; and C. Lansing Hays, Jr., Esquire, of New York, State of New York, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Charles H. Elston, It is ordered that Roger C. O'Donnell, Esquire, of Covington, State of Ohio, and Kyle F. Brooks, Esquire, of Cincinnati, State of Ohio, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. James Carter Todd, It is ordered that Webster Wilder, Jr., Esquire, of Cherokee, State of Oklahoma, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Paul A. Porter, It is ordered that Charles L. Claunch, Esquire, of Chattanooga, State of Tennessee, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Philip Blacher, It is ordered that John J. Rafferty, Esquire, of New Brunswick, State of New Jersey, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Philip F. Dodson, It is ordered that Raymond F. Body, Esquire, of Los Angeles, State of California, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Harry P. Warner, It is ordered that Julius Freyhan Seeman, Esquire, of Denver, State of Colorado, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Ralph B. Stewart, It is ordered that Foorman L. Mueller, Esquire, of Chicago, State of Illinois, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Dan Piver, It is ordered that Morris Berler, Esquire, of New York, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Horace S. Whitman, It is ordered that David R. Owen, Esquire, of Baltimore, State of Maryland, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Donald A. Gardiner, It is ordered that Robert Frederick Beck, Esquire, of Paterson, State of New Jersey, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. H. Donald Kistler, It is ordered that Edward Pryor Troxell, Esquire, of Washington, District of Columbia, and Jacob J. Ludens, Esquire, of Sterling, State of Illinois, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. David Perber, It is ordered that John W. Manning, Esquire, of Albany, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. John T. Barker, It is ordered that James H. Meredith, Esquire, of Portageville, State of Missouri, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

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William Farrell,

Petitioner,

267 vs.

United States of America, War Shipping Administration, Luckenbach Steamship Company, Inc.

On writ of certiorari to the United States Court of Appeals for the Second Circuit.

THIS CAUSE came on to be heard on the transcript of the record from the United States Court of Appeals for the Second Circuit, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is now here ordered and adjudged by this Court that the judgment of the said United States Court of Appeals, in this cause, be, and the same is hereby, affirmed; and that this cause be, and the same is hereby, remanded to the United States District Court for the Southern District of New York.

Per Mr. Justice Jackson.

Dissenting opinion by Mr. Justice Douglas in which Mr. Justice Black, Mr. Justice Murphy, and Mr. Justice Rutledge concur.

H. P. Hood & Sons, Inc.,

Petitioner,

92 vs.

C. Chester DuMond, Commissioner of Agriculture and Markets of the State of New York.

On writ of certiorari to the Supreme Court of the State of New York, Albany County.

THIS CAUSE came on to be heard on the transcript of the record from the Supreme Court of the State of New York, Albany County, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is ordered and adjudged by this Court that the judgment of the Court of Appeals in this cause, be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the Court of Appeals for proceedings not inconsistent with the opinion of this Court.

Per Mr. Justice Jackson.

Dissenting opinion by Mr. Justice Black in which Mr. Justice Murphy joins.

Dissenting opinion by Mr. Justice Frankfurter in which Mr. Justice Rutledge joins.

The United States of America, Petitioner, vs. Harry S. Knight. — On writ of certiorari to the United States Court of Appeals for the Third Circuit.

406

THIS CAUSE came on to be heard on the transcript of the record from the United States Court of Appeals for the Third Circuit, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is now here ordered and adjudged by this Court that the judgment of the said United States Court of Appeals, in this cause, be, and the same is hereby, reversed; and that this cause be, and the same is hereby, remanded to the United States Court of Appeals for the Third Circuit for proceedings in conformity with the opinion of this Court.

Per Mr. Justice Douglas.

Mr. Justice Murphy, Mr. Justice Jackson, and Mr. Justice Rutledge took no part in the consideration or decision of this case.

Dissenting opinion by Mr. Justice Frankfurter.

Joseph Giboney, Harold Hackell, Paul Mandalia, et al., Appellants, vs. Empire Storage and Ice Company. — Appeal from the Supreme Court of the State of Missouri.

182

THIS CAUSE came on to be heard on the transcript of the record from the Supreme Court of the State of Missouri, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court, in this cause, be, and the same is hereby, affirmed with costs.

Per Mr. Justice Black.

Chicago, Milwaukee, St. Paul & Pacific Railroad Company, Delaware & Hudson Railroad Corporation, et al.,

Petitioners,

65 vs.

Acme Fast Freight, Inc.

On writ of certiorari to the United States Court of Appeals for the Second Circuit.

THIS CAUSE came on to be heard on the transcript of the record from the United States Court of Appeals for the Second Circuit, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is now here ordered and adjudged by this Court that the judgment of the said United States Court of Appeals, in this cause, be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the United States District Court for the Southern District of New York for proceedings in conformity with the opinion of this Court.

Per Mr. Chief Justice Vinson.

Dissenting: Mr. Justice Black, Mr. Justice Douglas, and Mr. Justice Rutledge.

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The Chief Justice announced the following orders of the Court:

Tighe E. Woods, Housing Expediter, Office of the Housing Expediter,

Petitioner,

476 vs.

Elizabeth Ellis Durr.

On writ of certiorari to the United States Court of Appeals for the Third Circuit.

It appearing to the Court that the Solicitor General of the United States has filed a motion to remand this case to the Court of Appeals.

ON CONSIDERATION THEREOF, it is ordered by this Court that the said motion be, and it is hereby, granted.

IT IS FURTHER ORDERED that the judgment of the Court of Appeals in this cause, be, and it is hereby, vacated; and that this cause, be, and it is hereby, remanded to the Court of Appeals for consideration of the effect of Section 209 of the Housing and Rent Act of 1947, 61 Stat. 193, 200, as amended by Section 206 of the Act of March 30, 1949, 63 Stat. 18, 29, and the eviction regulations of the Housing Expediter issued pursuant thereto.

Per Mr. Chief Justice Vinson.

A/S J. Ludwig Mowinckels Rederi, et al.,

Appellants,

622 vs.

Isbrandtsen Co., Inc., The United States of America and United States Maritime Commission.

Appeal from the United States District Court for the Southern District of New York.

THIS CAUSE came on to be heard on the transcript of the record from the United States District Court for the Southern District of New York, and was duly submitted.

ON CONSIDERATION WHEREOF, It is now here ordered by this Court that the appeal herein be, and the same is hereby, dismissed.

Per Mr. Chief Justice Vinson.

C. H. Bunn,

Appellant,

643 vs.

State of North Carolina.

Appeal from the Supreme Court of the State of North Carolina.

THIS CAUSE came on to be heard on the transcript of the record from the Supreme Court of the State of North Carolina, and on motion to dismiss or affirm, which was duly submitted.

ON CONSIDERATION WHEREOF, It is now here ordered by this Court that the motion to dismiss the appeal herein be, and the same is hereby, granted.

IT IS FURTHER ORDERED that the appeal herein be, and the same is hereby, dismissed for the want of a substantial federal question.

Per Mr. Chief Justice Vinson.

The Chief Justice said:

"The other orders of the Court appear upon the list certified by the Chief Justice and filed with the clerk and will not be announced orally."

Julius A. Wolf,

Petitioner,

17 vs.

The People of the State of Colorado; and

Julius A. Wolf,

Petitioner,

18 vs.

The People of the State of Colorado.

ON CONSIDERATION of the motion of the New York Criminal Courts Bar Association for leave to file brief as amicus curiae in these cases,

IT IS ORDERED by this Court that the said motion be, and it is hereby, denied.

Per Mr. Chief Justice Vinson.

August Klapprott,

Petitioner,

42 vs.

The United States of America.

ON CONSIDERATION of the motion of the respondent to modify the judgment of this Court in this case,

IT IS ORDERED by this Court that the said motion be, and it is hereby, granted. The judgment announced January 17, 1949, reading as follows: "The judgments accordingly are reversed and the cause is remanded to the District Court with instructions to set aside the judgment by default and grant the petitioner a hearing on the merits raised by the denaturalization complaint." is amended to read: "The judgment of the Court of Appeals is reversed and the cause is remanded to the District Court with directions to receive evidence on the truty or falsity of the allegations contained in petitioner's petition to vacate the default judgment entered in the denaturalization proceedings."

Per Mr. Chief Justice Vinson.

Mr. Justice Black, Mr. Justice Douglas, Mr. Justice Murphy, and Mr. Justice Rutledge dissent from the modification of the judgment.

Harvey Stemmer, Order allowing certiorari.

Petitioner,

567 vs.

The People of the State of New York.

The petition herein for a writ of certiorari to the Court of Appeals of the State of New York is granted.

And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

David Krakower, Order allowing certiorari.

Petitioner,

568 vs.

The People of the State of New York.

The petition herein for a writ of certiorari to the Court of Appeals of the State of New York is granted.

And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

John Walter Oakley, Jr., Order allowing certiorari.

Petitioner,

578 vs.

Louisville and Nashville Railroad Company.

The petition herein for a writ of certiorari to the United States Court of Appeals for the Sixth Circuit is granted.

And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

John S. Haynes,

Petitioner,

579 vs.

Southern Railway System.

Order allowing certiorari.

The petition herein for a writ of certiorari to the United States Court of Appeals for the Sixth Circuit is granted.

And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

Lee Cassell,

Petitioner,

400, Misc. vs.

State of Texas.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, granted.

Per Mr. Chief Justice Vinson.

Lee Cassell,

Petitioner,

400, Misc. vs.

State of Texas.

Order allowing certiorari.

The petition herein for a writ of certiorari to the Court of Criminal Appeals of the State of Texas is granted, and the case is placed on the summary docket. The case is transferred to the appellate docket as No. 692.

And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

Railway Express Agency, Incorporated,
Petitioner,
247 vs.
Commissioner of Internal Revenue.

On petition for writ of certiorari to the United States Court of Appeals for the Second Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Second Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Lawrence C. Kingsland, Commissioner of Patents,
Petitioner,
504 vs.
Barron-Gray Packing Company.

On petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the District of Columbia Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Joseph W. Bottone,
Petitioner,
540 vs.
Henry S. Lindsley, Benjamin C. Hilliard, Jr., Morton M. David, et al.

On petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Tenth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Brotherhood of Railroad Trainmen,

Petitioner,

548 vs.

The Baltimore and Ohio Railroad Company, et al.

On petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Seventh Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Clark Sumner Cummings,

Petitioner,

555 vs.

Percy Lainson, Warden, State Penitentiary, Fort Madison, Iowa.

On petition for writ of certiorari to the Supreme Court of the State of Iowa.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of Iowa, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Leona M. Bethea, Individually and as Independent Executrix of the Estate of Catherine Henke,

Petitioner,

556 vs.

Frank Scofield, Individually and as United States Collector of Internal Revenue.

On petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Fifth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

William Kober,

Petitioner,

571 vs.

The United States of America.

On petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Fourth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Metropolis Theatre Company,

Petitioner,

572 vs.

L. H. Barkhausen and Randolph Bohrer, et al.

On petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Seventh Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Chester and Delaware Counties Bartenders, Hotel and Restaurant Employees Union, Local No. 677, A. F. L., et al.,

Petitioners,

573 vs.

Hardy D. Wilbank and Eleanor M. Wilbank, His Wife.

On petition for writ of certiorari to the Supreme Court of the Commonwealth of Pennsylvania.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the Commonwealth of Pennsylvania, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Estate of Annie Preston Bassett, Deceased, by Preston R. Bassett, Executor,

Petitioner,

595 vs.

Commissioner of Internal Revenue.

On petition for writ of certiorari to the United States Court of Appeals for the Second Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Second Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Philco Corporation,

Petitioner,

596 vs.

F. and B. Manufacturing Company.

On petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Seventh Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

John M. Dunn and Daniel Gentile,

Petitioners,

656 vs.

The People of the State of New York.

ON CONSIDERATION of the motion to dispense with printing the record in this case,

IT IS ORDERED by this Court that the said motion be, and it is hereby, granted.

Per Mr. Chief Justice Vinson.

John M. Dunn and Daniel Gentile,
Petitioners,
656 vs.
The People of the State of New York.

On petition for writ of certiorari to the Court of Appeals of the State of New York.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Court of Appeals of the State of New York, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Rene De Meerleer,
Petitioner,
544 vs.
The People of the State of Michigan.

ON CONSIDERATION of the motion to dispense with the printing of the petition and record in this case,

IT IS ORDERED by this Court that the said motion be, and it is hereby, granted.

Per Mr. Chief Justice Vinson.

Rene De Meerleer,
Petitioner,
544 vs.
The People of the State of Michigan.

On petition for writ of certiorari to the Supreme Court of the State of Michigan.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of Michigan, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Laurie J. Carpenter,

Petitioner,

458 vs.

Rohm and Haas Co., Inc.; and

Laurie J. Carpenter,

Petitioner,

459 vs.

Erie Railroad Company.

ON CONSIDERATION of the motions to enlarge the time to file petitions for rehearing in these cases,

IT IS ORDERED by this Court that the said motions be, and they are hereby, denied.

Per Mr. Chief Justice Vinson.

Morrison T. Wade,

Petitioner,

453 vs.

The People of the State of Michigan.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Douglas Chandler,

Petitioner,

487 vs.

The United States of America.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Ira Chase Koehne and John A. Savage,

Petitioners,

502 vs.

W. Bruce Matthews, United States Marshal, et al.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

J. W. Poore,

Appellant,

517 vs.

State of Mississippi.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Harley Ray Franklin,

Petitioner,

368, Misc. vs.

R. H. Hudspeth, Warden, et al.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mollie Eagle,

Petitioner,

406, Misc. vs.

Benjamin Cherney, et al.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Frank Cipullo,

Petitioner,

271, Misc. vs.

The United States of America.

On petition for writ of certiorari to the United States Court of Appeals for the Second Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Second Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Glenn D. Atkins,

Petitioner,

341, Misc. vs.

Warden of the Texas Prison System, et al.

On petition for writ of certiorari to the Supreme Court of the State of Texas.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of Texas, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Glenn Ross Griffin,

Petitioner,

419, Misc., vs.

Joseph E. Ragen, Warden.

On petition for writ of certiorari to the Supreme Court of the State of Illinois.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of Illinois, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Elmer Davis,

Petitioner,

420, Misc. vs.

Joseph E. Ragen, Warden.

On petition for writ of certiorari to the Supreme Court of the State of Illinois.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of Illinois, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Isaac Wiseman,

Petitioner,

426, Misc. vs.

Joseph E. Ragen, Warden.

On petition for writ of certiorari to the Criminal Court of Cook County of the State of Illinois.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Criminal Court of Cook County of the State of Illinois, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Walter Michael,
Petitioner,
428, Misc. vs.
Joseph E. Ragen, Warden.

On petition for writ of certiorari to the Circuit Court of Will County of the State of Illinois.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Circuit Court of Will County of the State of Illinois, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Thomas Stephenson,
Petitioner,
429, Misc. vs.
State of New Jersey.

On petition for writ of certiorari to the Supreme Court of the State of New Jersey.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of New Jersey, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Ray F. Harris,
Petitioner,
433, Misc. vs.
Browning Robinson, Warden.

On petition for writ of certiorari to the Circuit Court of Sangamon County of the State of Illinois.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Circuit Court of Sangamon County of the State of Illinois, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Albert Ciha,

Petitioner,

435, Misc. vs.

Joseph E. Ragen, Warden.

On petition for writ of certiorari to the Criminal Court of Cook County of the State of Illinois.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Criminal Court of Cook County of the State of Illinois, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

George Moore,

Petitioner,

438, Misc. vs.

Joseph E. Ragen, Warden.

On petition for writ of certiorari to the Criminal Court of Cook County of the State of Illinois.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Criminal Court of Cook County of the State of Illinois, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

E. Jerome Doelle,

Petitioner,

309, Misc. vs.

People of the State of Michigan.

ON CONSIDERATION of the motion for leave to file a petition for writ of habeas corpus herein.

IT IS ORDERED by this Court that the said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Albert Van Pelt,

Petitioner,

427, Misc. vs.

Joseph E. Ragen, Warden.

ON CONSIDERATION of the motion for leave to file a petition for writ of habeas corpus herein,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

John W. Morton,

Petitioner,

434, Misc. vs.

Dr. Ivan W. Steele, Warden.

ON CONSIDERATION of the motion for leave to file a petition for writ of habeas corpus herein,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Kelly Moss,

Petitioner,

444, Misc. vs.

Honorable Luther M. Swygert, U. S. District Judge.

ON CONSIDERATION of the motion for leave to file a petition for writ of mandamus herein,

IT IS ORDERED by this Court that the said motion be, and it is hereby, denied.

Per Mr. Chief Justice Vinson.

John Cordts,

Petitioner,

445, Misc. vs.

Joseph E. Ragen, Warden.

ON CONSIDERATION of the motion for leave to file a petition for writ of certiorari in this case,

IT IS ORDERED by this Court that the said motion be, and it is hereby, denied.

Per Mr. Chief Justice Vinson.

Arthur Edward Berry,

Petitioner,

547, Misc. vs.

State of Florida.

ON CONSIDERATION of the petition for a stay of execution of the sentence of death in this case,

IT IS ORDERED by this Court that the said petition be, and it is hereby, denied.

Per Mr. Chief Justice Vinson.

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The United States of America,

Petitioner,

618 vs.

World Fire and Marine Insurance Company.

ON CONSIDERATION of the motion for an extension of time to file brief of respondent in opposition to the petition for writ of certiorari in this case,

IT IS ORDERED by this Court that the said motion be, and it is hereby, denied.

Per Mr. Chief Justice Vinson.

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Proclamation being made the Court is adjourned until Monday, April 18, next, at 12 o'clock.

Pursuant to adjournment the Court met at the Supreme Court Building.

PRESENT:

The Honorable Fred M. Vinson, Chief Justice,
Hugo L. Black,
Stanley Reed,
Felix Frankfurter,
William O. Douglas,
Frank Murphy,
Robert H. Jackson,
Wiley Rutledge,
Harold H. Burton. Associate Justices.

Thomas Ennalls Waggaman, Esquire, Marshal,

Charles Elmore Cropley, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Solicitor General Philip B. Perlman, It is ordered that A. Courtney Hayden, Jr., Esquire, of Washington, District of Columbia; Alvin Lacy Williams, Esquire, of Mount Vernon, State of Illinois; Irving G. Mulitz, Esquire, of Houston, State of Texas; and M. Louis Abedon, Esquire, of Providence, State of Rhode Island, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. James P. Kem, It is ordered that Cornelius Roach, Esquire, of Kansas City, State of Missouri, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. John W. Bricker, It is ordered that William Marvin Vance, Esquire, of Urbana, State of Ohio, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Jesse P. Wolcott, It is ordered that Stephen H. Clink, Esquire, of Muskegon, State of Michigan, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Philip B. Kurland, It is ordered that David Falk Cohen, Esquire, of New York, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. John M. Harlan, It is ordered that Walter Pond, Esquire, of New York, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Everett Sanders, It is ordered that John G. Mullen, Esquire, of North Bend, State of Oregon, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Meredith M. Daubin, It is ordered that Emanuel Thebner, Esquire, of New York, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Louis R. Mehlinger, It is ordered that Herbert C. Nelson, Esquire, of Norristown, Commonwealth of Pennsylvania, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. John F. Donelan, It is ordered that William H. Gage, Esquire, of Buffalo, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Cecil B. Hamilton, It is ordered that Arthur Gordon Humphrey, Esquire, of Chicago, State of Illinois, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Adrien F. Busick, It is ordered that Irwin W. Coleman, Esquire, of Jackson, State of Mississippi, and Charles C. Richmond, Esquire, of New York, State of New York, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Albert L. Reeves, Jr., It is ordered that Herbert H. Sizemore, Esquire, of Newton, State of Kansas, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. A. M. Wolford, It is ordered that Bowman M. MacArthur, Esquire, of Washington, District of Columbia, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Leo K. Martus, It is ordered that Max Solorsy, Esquire, of New York, State of New York; Mordecai Cohen, Esquire, of Brooklyn, State of New York; and Jules Aronson, Esquire, of New York, State of New York, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Charles E. McGee, It is ordered that Gilbert H. Van Note, Esquire, of Spring Lake, State of New Jersey, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Louis Loss, It is ordered that Alexander E. Lipkin, Esquire, of Frackville, Commonwealth of Pennsylvania, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

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The United States,

Petitioner,

135 vs.

Alfred W. Jones, Receiver for Georgia & Florida Railroad; and

Alfred W. Jones, Receiver for Georgia & Florida Railroad,

Petitioner,

198 vs.

The United States.

On writs of certiorari to the Court of Claims.

THIS CAUSE came on to be heard on the transcript of the record from the Court of Claims, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is ordered and adjudged by this Court that the judgment of the said Court of Claims in this cause, be, and the same is hereby, reversed; and that this cause be, and the same is hereby, remanded to the Court of Claims with instructions to dismiss the cause.

Per Mr. Justice Rutledge.

Mr. Justice Reed and Mr. Justice Jackson took no part in the consideration or decision of this case.

Defense Supplies Corporation and Reconstruction Finance Corporation,

Petitioners,

298 vs.

Lawrence Warehouse Company, Capitol Chevrolet Company, V. J. McGrew and Clyde W. Henry.

On writ of certiorari to the United States Court of Appeals for the Ninth Circuit.

THIS CAUSE came on to be heard on the transcript of the record from the United States Court of Appeals for the Ninth Circuit, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is now here ordered and adjudged by this Court that the judgment of the said United States Court of Appeals, in this cause, be, and the same is hereby, vacated with costs to petitioners; and that this cause be, and the same is hereby, remanded to the said Court of Appeals with directions to dismiss the appeal from the judgment of the District Court.

Per Mr. Justice Murphy.

Federal Power Commission, et al.,

Petitioners,

109 vs.

Interstate Natural Gas Company, Incorporated, et al.;

On writs of certiorari to the United States Court of Appeals for the Fifth Circuit.

Public Service Commission of the State of Missouri,

Petitioner,

188 vs.

Interstate Natural Gas Company, Incorporated, et al.;

Memphis Light, Gas and Water Division,

Petitioner,

209 vs.

Interstate Natural Gas Company, Incorporated, et al.; and

Illinois Commerce Commission, et al.,

Petitioners,

212 vs.

Interstate Natural Gas Company, Incorporated, et al.

THIS CAUSE came on to be heard on the transcript of the record from the United States Court of Appeals for the Fifth Circuit, and was argued by counsel.

ON CONSIDERATION WHEREOF, it is ordered and adjudged by this Court that the order of the said Court of Appeals of May 12, 1948, directing distribution of the funds in question, be, and it is hereby reversed. Costs in this Court in Nos. 188, 209, and 212 are to be taxed in favor of the petitioners and against Interstate Natural Gas Company, Inc.

IT IS FURTHER ORDERED that this cause be, and it is hereby, remanded to the said Court of Appeals for further proceedings in conformity with the opinion of this Court.

Per Mr. Justice Douglas.

Concurring opinion by Mr. Justice Frankfurter.

Concurring opinion by Mr. Justice Jackson in which Mr. Justice Burton joins.

Opinion by Mr. Justice Black concurring in part and dissenting in part in which Mr. Justice Murphy and Mr. Justice Rutledge join.

Transcontinental & Western Air, Inc., Petitioner, vs. Civil Aeronautics Board. 387

On writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit.

THIS CAUSE came on to be heard on the transcript of the record from the United States Court of Appeals for the District of Columbia Circuit, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is now here ordered and adjudged by this Court that the judgment of the said United States Court of Appeals, in this cause, be, and the same is hereby, affirmed; and that this cause be, and the same is hereby, remanded to the said Court of Appeals.

Per Mr. Justice Douglas.

Dissenting opinion by Mr. Justice Jackson in which Mr. Justice Frankfurter joins.

Mr. Justice Reed took no part in the consideration or decision of this case.

Nye & Nissen (a Corporation) and Abraham Moncharsh, Petitioners, vs. The United States of America. 228

On writ of certiorari to the United States Court of Appeals for the Ninth Circuit.

THIS CAUSE came on to be heard on the transcript of the record from the United States Court of Appeals for the Ninth Circuit, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is now here ordered and adjudged by this Court that the judgment of the said United States Court of Appeals, in this cause, be, and the same is hereby, affirmed; and that this cause be, and the same is hereby, remanded to the United States District Court for the Northern District of California.

Per Mr. Justice Douglas.

Dissenting opinion by Mr. Justice Frankfurter in which Mr. Justice Jackson and Mr. Justice Rutledge join.

Dissenting opinion by Mr. Justice Murphy.

Hermoine P. Rice, Petitioner, vs. Lillian P. Rice. 117

On writ of certiorari to the Supreme Court of Errors of the State of Connecticut.

THIS CAUSE came on to be heard on the transcript of the record from the Supreme Court of Errors of the State of Connecticut, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is ordered and adjudged by this Court that the judgment of the said Supreme Court, in this cause, be, and the same is hereby, affirmed with costs.

Per Mr. Chief Justice Vinson.

Dissenting: Mr. Justice Black, Mr. Justice Douglas, and Mr. Justice Rutledge.

Dissenting opinion by Mr. Justice Jackson.

Anna M. Fountain, Petitioner, vs. Paul Filson and Anna F. Filson. 542

Order allowing certiorari.

The petition herein for a writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit is granted.

And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

Anna M. Fountain, Petitioner, vs. Paul Filson and Anna F. Filson. 542

On writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit.

THIS CAUSE came on to be heard on the transcript of the record from the United States Court of Appeals for the District of Columbia Circuit, and was duly submitted.

ON CONSIDERATION WHEREOF, It is now here ordered and adjudged by this Court that the judgment of the said United States Court of Appeals, in this cause, be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the United States District Court for the District of Columbia for further proceedings in accordance with the opinion of the Court of Appeals as modified by the opinion of this Court.

Per Mr. Chief Justice Vinson.

The Chief Justice announced the following orders of the Court:

Eddie J. Viator, Appellant, vs. A. H. Stone, Chairman, State Tax Commission of Mississippi, et al. — Appeal from the Supreme Court of the State of Mississippi.

613

THIS CAUSE came on to be heard on the transcript of the record from the Supreme Court of the State of Mississippi, and was duly submitted.

ON CONSIDERATION WHEREOF, It is now here ordered by this Court that the appeal herein be, and the same is hereby, dismissed for the reason that the judgment of the court below is based upon a non-federal ground adequate to support it.

Per Mr. Chief Justice Vinson.

Longyear Holding Company, Helen H. Bennett, C. M. Hill Lumber Company, et al., Appellants, vs. State of Minnesota. — Appeal from the Supreme Court of the State of Minnesota.

649

THIS CAUSE came on to be heard on the transcript of the record from the Supreme Court of the State of Minnesota, and on motion to dismiss, which was duly submitted.

ON CONSIDERATION WHEREOF, It is now here ordered by this Court that the motion to dismiss the appeal herein be, and the same is hereby, granted.

IT IS FURTHER ORDERED that the appeal herein be, and the same is hereby, dismissed for the want of jurisdiction.

Per Mr. Chief Justice Vinson.

Mr. Justice Burton took no part in the consideration or decision of this case.

Longyear Holding Company, Helen H. Bennett, C. M. Hill Lumber Company, et al.,

Appellants,

649 vs.

State of Minnesota.

Appeal from the Supreme Court of the State of Minnesota.

TREATING the appeal papers herein from the Supreme Court of the State of Minnesota as an application for a writ of certiorari;

ON CONSIDERATION WHEREOF, it is ordered by this Court that the said application for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Burton took no part in the consideration or decision of this case.

Gulfstream Park Racing Association, Inc., and Gables Racing Association, Inc.,

Appellants,

680 vs.

Hialeah Race Course, Inc., et al.

Appeal from the Supreme Court of the State of Florida.

THIS CAUSE came on to be heard on the transcript of the record from the Supreme Court of the State of Florida, and on motion to dismiss or affirm, which was duly submitted.

ON CONSIDERATION WHEREOF, It is now here ordered by this Court that the motion to dismiss the appeal herein be, and the same is hereby, granted.

IT IS FURTHER ORDERED that the appeal herein be, and the same is hereby, dismissed for the want of a substantial federal question.

Per Mr. Chief Justice Vinson.

Oliver Cleve Ryles, Petitioner,
593 vs.
The United States of America.

Order allowing certiorari.

The petition herein for a writ of certiorari to the United States Court of Appeals for the Tenth Circuit is granted.

And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

Oliver Cleve Ryles, Petitioner,
593 vs.
The United States of America.

On writ of certiorari to the United States Court of Appeals for the Tenth Circuit.

IT APPEARING to the Court that the Solicitor General of the United States has filed a memorandum suggesting that the judgments in this case be vacated and the case remanded to the District Court for a new trial,

THEREFORE, pursuant to said memorandum, it is ordered by this Court that the judgment of the Court of Appeals and the judgment of the District Court be, and they are hereby, vacated.

IT IS FURTHER ORDERED that this cause be, and it is hereby, remanded to the United States District Court for the Eastern District of Oklahoma with directions to grant a new trial.

Per Mr. Chief Justice Vinson.

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The Chief Justice said:

"The other orders of the Court appear upon the list certified by the Chief Justice and filed with the clerk and will not be announced orally."

Charles Quicksall,

Petitioner,

609 vs.

People of the State of Michigan.

It is ordered that Isadore Levin, Esquire, of Detroit, Michigan, a member of the Bar of this Court, be, and he is hereby, appointed to serve as counsel for the petitioner in this case.

Per Mr. Chief Justice Vinson.

August Klapprott,

Petitioner,

42 vs.

The United States of America.

ON CONSIDERATION of the motion of counsel for the petitioner for clarification of the modified judgment in this case,

IT IS ORDERED by this Court that the said motion be, and it is hereby, denied.

Per Mr. Chief Justice Vinson.

Dissenting: Mr. Justice Black.

Hannah Cohen, Executrix, etc., et al.,

Petitioners,

442 vs.

Beneficial Industrial Loan Corporation, et al.; and

Beneficial Industrial Loan Corporation,

Petitioner,

512 vs.

Honorable William F. Smith, a Judge, etc., et al.

ON CONSIDERATION of the motions of William B. Weinberger and Lewis M. Dabney, Jr., for leave to file briefs as amici curiae in these cases,

IT IS ORDERED by this Court that the said motions be, and they are hereby, granted.

Per Mr. Chief Justice Vinson.

The United States of America and
Interstate Commerce Commission,

Appellants,

629 vs.

The Capital Transit Company, et al.; and

Washington, Virginia and Maryland Coach
Company, Inc., et al.,

Appellants,

630 vs.

The Capital Transit Company, et al.

The statements of jurisdiction in these cases having been submitted and considered by the Court, probable jurisdiction is noted.

Per Mr. Chief Justice Vinson.

The United States of America, Order allowing certiorari.

Petitioner,

574 vs.

Westinghouse Electric and Manufacturing
Company.

The petition herein for a writ of certiorari to the United States Court of Appeals for the First Circuit is granted.

And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

The United States of America, Order allowing certiorari.

Petitioner,

633 vs.

Lillian Spelar, as Administratrix of
the Estate of Mark Spelar, Deceased.

The petition herein for a writ of certiorari to the United States Court of Appeals for the Second Circuit is granted.

And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Federal Communications Commission, Petitioner,

584 vs.

Broadcasting Service Organization, Inc.

Order allowing certiorari.

The petition herein for a writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit is granted. The case is transferred to the summary docket and assigned for argument on May 9 following the argument in Nos. ___ Original, United States vs. Louisiana and United States vs. Texas, which are also specially assigned for that day.

And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

Edward P. Stahel & Co., Inc., Interstate Hosiery Mills, Inc., et al., Petitioners,

490 vs.

The United States.

On petition for writ of certiorari to The Court of Claims.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Court of Claims and of the argument of counsel thereupon had, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

The United States, Petitioner,

623 vs.

Edward P. Stahel and Co., Inc., Interstate Hosiery Mills, Inc., et al.

On petition for writ of certiorari to The Court of Claims.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Court of Claims and of the argument of counsel thereupon had, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Stinson Canning Company, American Surety Company, etc.,

Petitioners,

576 vs.

The United States of America.

On petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Fourth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

McEvoy Company,

Petitioner,

577 vs.

Ben F. Kelley and William L. Kelley, d/b/a Ben F. Kelley Company.

On petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Fifth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Daniel G. Marshall,

Petitioner,

586 vs.

The State Bar of California, a Public Corporation.

On petition for writ of certiorari to the Supreme Court of the State of California.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of California, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

The City of Crystal Lake, an Illinois Municipal Corporation,

Petitioner,

587 vs.

National Yeast Corporation, Formerly National Grain Yeast Corporation.

On petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Seventh Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

I. H. Spears,

Petitioner,

588 vs.

Eva Mae Spears and George A. Sutton.

On petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Sixth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Northern Illinois Coal Corporation,

Petitioner,

589 vs.

Midwest-Radiant Corporation.

On petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Seventh Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Z. E. Eagleston, Petitioner, vs. The United States of America. 611

On petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Ninth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

LeRoy J. Leishman, Petitioner, vs. The Richards and Conover Company. 612

On petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Tenth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Fernand C. A. Adda, Petitioner, vs. Commissioner of Internal Revenue. 615

On petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Fourth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Allan Rutledge, Jr., Carlton E. Stevens, Kenyon W. Kantz, et al.,
Petitioners,
616 vs.
United Services Life Insurance Company.

On petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the District of Columbia Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

New Orleans Shipwrecking Corporation,
Petitioner,
632 vs.
William W. Smith, et al.

On petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the District of Columbia Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Ruan Transport Corporation and William D. Hawley,
Petitioners,
644 vs.
Chicago, Burlington and Quincy Railroad Company.

On petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Eighth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Harry J. Alker, Jr., and Mamie DuBan,
Individually and as Executrix of the Estate
of Alfred A. DuBan,

Petitioners,

562 vs.

Federal Deposit Insurance Corporation.

ON CONSIDERATION of the motion of petitioners to defer consideration of the petition in this case,

IT IS ORDERED by this Court that the said motion be, and it is hereby, denied.

Per Mr. Chief Justice Vinson.

Harry J. Alker, Jr., and Mamie DuBan, Individually and as Executrix of the Estate of Alfred A. DuBan, Petitioners, On petition for writ of certiorari to the United States Court of Appeals for the Third Circuit.

562 vs.

Federal Deposit Insurance Corporation.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Third Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

South Carolina Public Service Authority, Petitioner, On petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit.

590 vs.

Securities and Exchange Commission and
the Commonwealth and Southern Corporation.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Fourth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Black is of the opinion certiorari should be granted.

Mr. Justice Douglas took no part in the consideration or decision of this application.

South Carolina Public Service Authority, Petitioner,
591 vs.
Federal Power Commission and South Carolina Electric and Gas Company.

On petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Fourth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Black is of the opinion certiorari should be granted.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Marie Frances Tillman, Petitioner,
627 vs.
Grace Tillman.

ON CONSIDERATION of the motion to dispense with printing the record in this case,

IT IS ORDERED by this Court that the said motion be, and it is hereby, granted.

Per Mr. Chief Justice Vinson.

Marie Frances Tillman, Petitioner,
627 vs.
Grace Tillman.

On petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the District of Columbia Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Printing Specialties and Paper Converters Union, Local 388, A. F. L., and Walter J. Turner,

Petitioners,

650 vs.

Honorable F. LeBaron, Regional Director of the 21st Region of the National Labor Relations Board, etc.

On petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit.

IT APPEARING to the Court that counsel for the petitioners have filed a motion to dismiss the petition for writ of certiorari in this case,

THEREFORE, pursuant to said motion, it is ordered by this Court that the petition for writ of certiorari in this case be, and it is hereby, dismissed.

Per Mr. Chief Justice Vinson.

Burnham Chemical Company,

Petitioner,

513 vs.

Borax Consolidated, Ltd., Pacific Coast Borax Co., et al.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Standard Oil Company, a Corporation of the State of Indiana,

Appellant,

529, 530 and 531 vs.

The Superior Court of the State of Delaware in and for New Castle County, et al.

A petition for rehearing having been filed in these cases,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Elijah Crippen, Trustee, etc.,

Petitioner,

554 vs.

City of Dallas.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

John Harry McGough,

Petitioner,

306, Misc. O.T. '47 vs.

The United States of America.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Charles Lee McIntosh, Sr.,

Petitioner,

294, Misc. vs.

The United States.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Geo. E. Dunkle,

Petitioner,

303, Misc. vs.

People of the State of Illinois.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Charles Lee McIntosh,

Petitioner,

315, Misc. vs.

Dr. M. J. Pescor, Warden.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Clarence Bertrand,

Petitioner,

410, Misc. vs.

Joseph E. Ragen, Warden.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Bernard M. Shotkin,

Petitioner,

301, Misc. vs.

Westinghouse Electric & Manufacturing Co., et al.

ON CONSIDERATION of the motion for leave to file a petition for rehearing in this case,

IT IS ORDERED by this Court that the said motion be, and it is hereby, denied.

Per Mr. Chief Justice Vinson.

Mabel Blair,

Petitioner,

350, Misc. vs.

John O. Coen.

On petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Seventh Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

David F. Coker,

Petitioner,

391, Misc. vs.

Illinois Central Railroad Co., et al.

On petition for writ of certiorari to the Supreme Court of the State of Tennessee.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of Tennessee, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

William M. Fries, Petitioner, vs. The United States of America. 403, Misc.

On petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Sixth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Jake Bird, Petitioner, vs. State of Washington. 413, Misc.

On petition for writ of certiorari to the Supreme Court of the State of Washington.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of Washington, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Frank Bonino, Petitioner, vs. State of New York. 442, Misc.

On petition for writ of certiorari to the Appellate Division of the Supreme Court of the State of New York.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Appellate Division of the Supreme Court of the State of New York, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Donald Earl Lundy,

Petitioner,

443, Misc. vs.

Warden, State Prison of Southern Michigan.

On petition for writ of certiorari to the Supreme Court of the State of Michigan.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of Michigan, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Donald Earl Lundy,

Petitioner,

443, Misc. vs.

Warden, State Prison of Southern Michigan.

ON CONSIDERATION of the motion for leave to file a petition for writ of habeas corpus herein,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Bernard M. Shotkin,

Petitioner,

431, Misc. vs.

General Electric Company, et al.

ON CONSIDERATION of the application submitted herein by Bernard M. Shotkin,

IT IS ORDERED by this Court that the said application be, and it is hereby, denied.

Per Mr. Chief Justice Vinson.

Ralph O. Lucas,

Petitioner,

447, Misc. vs.

State of Texas.

ON CONSIDERATION of the application submitted herein by Ralph O. Lucas,

IT IS ORDERED by this Court that the said application be, and it is hereby, denied.

Per Mr. Chief Justice Vinson.

Norvell M. Bickford,

Petitioner,

441, Misc. vs.

The United States of America.

ON CONSIDERATION of the motion for leave to file a petition for writ of habeas corpus herein,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Russell G. Bird,

Petitioner,

559, Misc. vs.

Louis A. Johnson, Secretary of Defense.

ON CONSIDERATION of the motion for leave to file a petition for writ of habeas corpus herein,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Richard Sweet,

Petitioner,

446, Misc. vs.

Ralph Howard, Warden.

ON CONSIDERATION of the motion for leave to file a petition for writ of certiorari in this case,

IT IS ORDERED by this Court that the said motion be, and it is hereby, denied.

Per Mr. Chief Justice Vinson.

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It is ordered that the call of the docket, except for special assignments, be suspended for the term upon the conclusion of the argument in case No. 610, and that the Court will then take a recess until Monday, May 2, next.

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Hannah Cohen, Executrix of the Estate of Sol Cohen, Deceased, and David E. Cohen, Intervenor,

Petitioners,

442 vs.

Beneficial Industrial Loan Corporation, et al.; and

Beneficial Industrial Loan Corporation,

Petitioner,

512 vs.

Honorable William F. Smith, a Judge of the United States District Court for the District of New Jersey, et al.

Argued by Mr. Philip B. Kurland and Mr. Charles Hershenstein for Hannah Cohen, Executrix, et al., and by Mr. John M. Harlan for Beneficial Industrial Loan Corporation.

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Proclamation being made the Court is adjourned until tomorrow at 12 o'clock.

TUESDAY, APRIL 19, 1949.

Pursuant to adjournment the Court met at the Supreme Court Building.

PRESENT:

The Honorable Fred M. Vinson, Chief Justice,
Hugo L. Black,
Stanley Reed,
Felix Frankfurter,
William O. Douglas,
Frank Murphy,
Robert H. Jackson,
Wiley Rutledge,
Harold H. Burton. Associate Justices.

Thomas Ennalls Waggaman, Esquire, Marshal,

Charles Elmore Cropley, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Clifford Davis, It is ordered that John C. Cox, Esquire, of Memphis, State of Tennessee, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Horace J. Donnelly, Jr., It is ordered that Earl Matthew Friesenecker, Esquire, of Chicago, State of Illinois, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Paul Atlee Walker, It is ordered that Donald Stowe Leecraft, Esquire, of Durant, State of Oklahoma, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Robert Tandler Mack, It is ordered that William K. Jackson, Esquire, of Chicago, State of Illinois, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. William Howard Payne, It is ordered that W. Breckinridge DeRiemer, Esquire, of Chicago, State of Illinois, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. J. Ross Gamble, It is ordered that James Eugene Fair Gammon, Esquire, of Alexandria, Commonwealth of Virginia, and Henry F. Lippitt, 2nd, Esquire, of San Diego, State of California, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

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National Labor Relations Board,

Petitioner,

258 vs.

The Pittsburgh Steamship Company.

Argued by Mr. Robert L. Stern for the petitioner and by Mr. Nathan L. Miller for the respondent.

The United States of America, ex rel.
May Johnson,

Petitioner,

506 vs.

W. Frank Watkins, District Director
of Immigration and Naturalization
Service in the New York District, etc.

Argument commenced by Mr. Gunther Jacobson for the petitioner and continued by Miss Patricia H. Collins for the respondent.

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Proclamation being made the Court is adjourned until tomorrow at 12 o'clock.

WEDNESDAY, APRIL 20, 1940.

Pursuant to adjournment the Court met at the Supreme Court Building.

PRESENT:

The Honorable Fred M. Vinson, Chief Justice,
Hugo L. Black,
Stanley Reed,
Felix Frankfurter,
William O. Douglas,
Frank Murphy,
Robert H. Jackson,
Wiley Rutledge,
Harold H. Burton. Associate Justices.

Thomas Ennalls Waggaman, Esquire, Marshal,
Charles Elmore Cropley, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Walter F. Kaufman, It is ordered that William S. Ramsay, Esquire, of Landisville, Commonwealth of Pennsylvania, and Albert Heath Sheaffer, Jr., Esquire, of Lancaster, Commonwealth of Pennsylvania, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Solomon A. Klein, It is ordered that Miles F. McDonald, Esquire, of Brooklyn, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. James E. Murray, It is ordered that Charles A. Weaver, Esquire, of Billings, State of Montana, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. W. Scott Macgill, Jr., It is ordered that Cornelius J. Petzhold, Esquire, of Cincinnati, State of Ohio, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Jeff A. Robertson, It is ordered that Douglas Gleason, Esquire, of Ottawa, State of Kansas, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

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The United States of America, ex rel.
May Johnson,

Petitioner,

506 vs.

W. Frank Watkins, District Director of
Immigration, etc.

ON CONSIDERATION of the motion and stipulation to substitute the party respondent in this case,

IT IS ORDERED by this Court that Edward J. Shaughnessy, Acting District Director of Immigration and Naturalization, be, and he is hereby, substituted as the party respondent herein in place of W. Frank Watkins, and that the cause be so continued and maintained.

Per Mr. Chief Justice Vinson.

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The United States of America, ex rel.
May Johnson,

Petitioner,

506 vs.

Edward J. Shaughnessy, Acting District
Director of Immigration and Naturalization
Service in the New York District, etc.

Argument concluded by Mr. Gunther Jacobson for the petitioner.

Julius Ranny Ragan,

Petitioner,

522 vs.

Merchants Transfer & Warehouse Company, Inc.

Argued by Mr. Cornelius Roach for the petitioner and by Mr. Douglas Hudson for the respondent.

Harold Roland Christoffel,

Petitioner,

528 vs.

The United States of America.

Argued by Mr. O. John Rogge for the petitioner and by Mr. Assistant Attorney General Campbell for the respondent.

The United States of America,

Petitioner,

473 vs.

Reginald P. Wittek.

Argument commenced by Mr. Assistant Attorney General Vanech for the petitioner.

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Proclamation being made the Court is adjourned until tomorrow at 12 o'clock.

Pursuant to adjournment the Court met at the Supreme Court Building.

PRESENT:

The Honorable Fred M. Vinson, Chief Justice,
Hugo L. Black,
Stanley Reed,
Felix Frankfurter,
William O. Douglas,
Frank Murphy,
Robert H. Jackson,
Wiley Rutledge,
Harold H. Burton. Associate Justices.

Thomas Ennalls Waggaman, Esquire, Marshal,

Charles Elmore Cropley, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. John L. McClellan, It is ordered that Chas. H. Earl, Esquire, of Little Rock, State of Arkansas, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Frederick Bernays Wiener, It is ordered that Karl W. Johnson, Esquire, of Upper Darby, Commonwealth of Pennsylvania, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Wesley S. Williams, It is ordered that Maurice Francis Doyle, Esquire, of Philadelphia, Commonwealth of Pennsylvania, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. E. Ennalls Berl, It is ordered that Robert P. Patterson, Esquire, of New York, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Cornelius Roach, It is ordered that Harry Francis Murphy, Esquire, of Kansas City, State of Missouri, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. William Howard Payne, It is ordered that John F. Taylor, Esquire, of Snyder, State of Oklahoma, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Alexander M. Campbell, It is ordered that James Emmett McManamon, Esquire, of Indianapolis, State of Indiana, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

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The United States of America,

Petitioner,

473 vs.

Reginald P. Wittek.

Argument continued by Mr. Ward B. McCarthy for the respondent and concluded by Mr. Assistant Attorney General Vanech for the petitioner.

Samuel Titto Williams,

Appellant,

671 vs.

The People of the State of New York.

Argued by Mr. John F. Finerty for the appellant and by Mr. Solomon Klein for the appellee.

Edward Gibbs,

Petitioner,

418 vs.

C. J. Burke, Warden, Eastern State Penitentiary, Philadelphia, Pennsylvania.

Argument commenced by Mr. Frederick Bernays Wiener for the petitioner and continued by Mr. Karl W. Johnson for the respondent.

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Proclamation being made the Court is adjourned until tomorrow at 12 o'clock.

Pursuant to adjournment the Court met at the Supreme Court Building.

PRESENT:

The Honorable Fred M. Vinson, Chief Justice,
Hugo L. Black,
Stanley Reed,
Felix Frankfurter,
William O. Douglas,
Frank Murphy, Associate Justices.
Robert H. Jackson,
Wiley Rutledge,
Harold H. Burton.
Thomas Ennalls Waggaman, Esquire, Marshal,
Charles Elmore Cropley, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Lewis M. Stevens, It is ordered that James E. Gallagher, Jr., Esquire, of Philadelphia, Commonwealth of Pennsylvania; Clark Hodgson, Esquire, of Philadelphia, Commonwealth of Pennsylvania; Edward P. Loughran, Esquire, of Philadelphia, Commonwealth of Pennsylvania; and Gerald Ronon, Esquire, of Philadelphia, Commonwealth of Pennsylvania, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Charles Sylvanus Rhyne, It is ordered that Sylvain D. Leipsic, Esquire, of San Francisco, State of California, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Whitman Knapp, It is ordered that Charles W. Manning, Esquire, of New York, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

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Edward Gibbs,

Petitioner,

418 vs.

C. J. Burke, Warden, Eastern State Penitentiary, Philadelphia, Pennsylvania.

Argument concluded by Mr. Karl W. Johnson for the respondent.

Federal Power Commission,

Petitioner,

558 vs.

Panhandle Eastern Pipe Line Company, et al.

Argued by Mr. Bradford Ross for the petitioner and by Mr. Robert P. Patterson and Mr. Jeff A. Robertson for the respondents.

Federal Communications Commission,

Petitioner,

495 vs.

WJR, The Goodwill Station, Inc., and Coastal Plains Broadcasting Co., Inc.

Argued by Mr. Solicitor General Perlman for the petitioner and by Mr. Louis G. Caldwell for the respondents.

Harvey Stemmer,

Petitioner,

567 vs.

The People of the State of New York; and

David Krakower,

Petitioner,

568 vs.

The People of the State of New York.

Argument commenced by Mr. Osmond K. Fraenkel for the petitioners.

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Proclamation being made the Court is adjourned until Monday, April 25, next, at 12 o'clock.

Pursuant to adjournment the Court met at the Supreme Court Building.

PRESENT:

The Honorable Fred M. Vinson, Chief Justice,
Hugo L. Black,
Stanley Reed,
Felix Frankfurter,
William O. Douglas,
Frank Murphy,
Robert H. Jackson,
Wiley Rutledge,
Harold H. Burton. Associate Justices.

Thomas Ennalls Waggaman, Esquire, Marshal,
Charles Elmore Cropley, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Solicitor General Philip B. Perlman, It is ordered that William Safirstein, Esquire, of Newark, State of New Jersey; Thomas F. Flynn, Esquire, of Cleveland, State of Ohio; Thomas F. Flynn, Jr., Esquire, of Alexandria, Commonwealth of Virginia, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Estes Kefauver, It is ordered that Harry Berke, Esquire, of Chattanooga, State of Tennessee, and W. Corry Smith, Esquire, of Chattanooga, State of Tennessee, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Jas. C. Davis, It is ordered that Robert Edward Lee Culpepper, Jr., Esquire, of Camilla, State of Georgia, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Vernon W. Foster, It is ordered that Joseph H. Wright, Esquire, of Chicago, State of Illinois; John W. Foster, Esquire, of Chicago, State of Illinois; Robert

Mitton, Esquire, of Chicago, State of Illinois; and Thomas Sherwood MacKinlay Esquire, of Chicago, State of Illinois, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Clyde Gilman Doyle, It is ordered that Vern E. Garten, Esquire, of Long Beach, State of California, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Homer Ferguson, It is ordered that Julian F. Russell, Esquire, of Detroit, State of Michigan, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Jesse P. Wolcott, It is ordered that George T. McInnis, Esquire, of Port Huron, State of Michigan, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Thurgood Marshall, It is ordered that Robert L. Carter, Esquire, of New York, State of New York, and Henry J. Richardson, Jr., Esquire, of Indianapolis, State of Indiana, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. J. H. Ward Hinkson, It is ordered that John McPherson Vincent Diggins, Esquire, of Chester, Commonwealth of Pennsylvania, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. R. Granville Curry, It is ordered that Clyde Harold Slease, Esquire, of Pittsburgh, Commonwealth of Pennsylvania, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Henry J. Fox, It is ordered that Samuel Rowe, Esquire, of New York, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Edward B. O'Neill, It is ordered that Allan N. Fish, Esquire, of San Francisco, State of California, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Raymond J. Bowen, It is ordered that John Eugene Comerford, Esquire, of Atlanta, State of Georgia, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Dan Piver, It is ordered that Isadore Waks, Esquire, of Paterson, State of New Jersey, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Lee B. Kemon, It is ordered that Benjamin B. Schneider, Esquire, of Chicago, State of Illinois, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. James P. Burns, It is ordered that Robert W. Fulwider, Esquire, of Los Angeles, State of California, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Francis Dennis Flanagan, It is ordered that Mary H. Donlon, of New York, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and she was sworn accordingly.

(Miss)

On motion first made to the Court in this behalf by Mr. Wesley S. Williams, It is ordered that Anthony De Sanctis, Esquire, of Philadelphia, Commonwealth of Pennsylvania, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Edgar A. Jonas, It is ordered that Elmer J. Tone, Esquire, of Park Ridge, State of Illinois, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Henry L. Walker, It is ordered that John Davis Kerr, Esquire, of Spartanburg, State of South Carolina, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Adolph M. Edwards, Jr., It is ordered that Joe Albert Brown, Esquire, of Hartshorne, State of Oklahoma, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Whitman Knapp, It is ordered that George P. Monaghan, Esquire, of New York, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Thomas Andrew Pace, It is ordered that J. Frank Cunningham, Esquire, of Dallas, State of Texas, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. James E. Wilson, It is ordered that W. A. Combs, Esquire, of Houston, State of Texas, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Ralph D. Pittman, It is ordered that Loretta Smith, of Omaha, State of Nebraska, and Arthur W. Manley, Esquire, of Saint Louis, State of Missouri, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

(Mrs.)

On motion first made to the Court in this behalf by Mr. Peter Campbell Brown, It is ordered that Raymond J. McGrover, Esquire, of Brooklyn, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Allan R. Rosenberg, It is ordered that Robert S. Feldman, Esquire, of Benton Harbor, State of Michigan, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Warren E. Miller, It is ordered that Earle B. Anderson, Esquire, of West Hartford, State of Connecticut, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Glen A. Wilkinson, It is ordered that Allen H. Tibbals, Esquire, of Salt Lake City, State of Utah, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

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The People of the State of California, Petitioner,	On writ of certiorari to the Appellate Department of the
355 vs.	Superior Court of Los Angeles
Berl B. Zook and Wilmer K. Craig.	County, State of California.

THIS CAUSE came on to be heard on the transcript of the record from the said Superior Court of the State of California, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is ordered and adjudged by this Court that the judgment of the said Superior Court, in this cause, be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the said Superior Court for proceedings not inconsistent with the opinion of this Court.

Per Mr. Justice Murphy.

Dissenting opinion by Mr. Justice Burton in which Mr. Justice Douglas and Mr. Justice Jackson join.

Dissenting opinion by Mr. Justice Frankfurter.

Baxter Griffin, Petitioner, vs. The United States of America. — On writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit.

417

THIS CAUSE came on to be heard on the transcript of the record from the United States Court of Appeals for the District of Columbia Circuit, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is ordered and adjudged by this Court that the order of the Court of Appeals dismissing the appeal from the District Court, be, and it is hereby, vacated.

IT IS FURTHER ORDERED that this cause be, and it is hereby, remanded to the Court of Appeals for further proceedings in conformity with the opinion of this Court.

Per Mr. Justice Frankfurter.

Dissenting opinion by Mr. Justice Murphy in which Mr. Chief Justice Vinson, Mr. Justice Douglas, and Mr. Justice Rutledge join.

Frederick W. Wade, Petitioner, vs. Walter A. Hunter, Warden, United States Penitentiary, Leavenworth, Kansas. — On writ of certiorari to the United States Court of Appeals for the Tenth Circuit.

427

THIS CAUSE came on to be heard on the transcript of the record from the United States Court of Appeals for the Tenth Circuit, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is now here ordered and adjudged by this Court that the judgment of the said United States Court of Appeals, in this cause, be, and the same is hereby, affirmed; and that this cause be, and the same is hereby, remanded to the United States District Court for the District of Kansas.

Per Mr. Justice Black.

Dissenting opinion by Mr. Justice Murphy in which Mr. Justice Douglas and Mr. Justice Rutledge join.

George W. Humphrey, Warden, United States Penitentiary, Lewisburg, Pennsylvania,

Petitioner,

457 vs.

Bernard W. Smith.

On writ of certiorari to the United States Court of Appeals for the Third Circuit.

THIS CAUSE came on to be heard on the transcript of the record from the United States Court of Appeals for the Third Circuit, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is now here ordered and adjudged by this Court that the judgment of the said United States Court of Appeals, in this cause, be, and the same is hereby, reversed; and that this cause be, and the same is hereby, remanded to the United States District Court for the Middle District of Pennsylvania for proceedings in conformity with the opinion of this Court.

Per Mr. Justice Black.

Dissenting opinion by Mr. Justice Murphy in which Mr. Justice Douglas and Mr. Justice Rutledge concur.

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The Chief Justice announced the following orders of the Court:

Clayton Mark & Company, Enameled Metals Company, Fretz-Moon Tube Company, Inc., et al.,

Petitioners,

464 vs.

Federal Trade Commission.

On writ of certiorari to the United States Court of Appeals for the Seventh Circuit.

THIS CAUSE came on to be heard on the transcript of the record from the United States Court of Appeals for the Seventh Circuit, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is now here ordered and adjudged by this Court that the final decree of the said United States Court of Appeals, in this cause, be, and the same is hereby, affirmed by an equally divided Court; and that this cause be, and the same is hereby, remanded to the said Court of Appeals.

Per Mr. Chief Justice Vinson.

Mr. Justice Jackson took no part in the consideration or decision of this case.

Walter E. Allen,

Appellant,

631 vs.

M. Lucille Allen.

ON CONSIDERATION of the motion for leave to file the statement as to jurisdiction in this case,

IT IS ORDERED by this Court that the said motion be, and it is hereby, granted.

Per Mr. Chief Justice Vinson.

Walter E. Allen,

Appellant,

631 vs.

M. Lucille Allen.

Appeal from the Supreme Court of the State of Oklahoma.

THIS CAUSE came on to be heard on the transcript of the record from the Supreme Court of the State of Oklahoma, and was duly submitted.

ON CONSIDERATION WHEREOF, It is now here ordered by this Court that the appeal herein be, and the same is hereby, dismissed for the want of jurisdiction.

Per Mr. Chief Justice Vinson.

Walter E. Allen,

Petitioner,

631 vs.

M. Lucille Allen.

On petition for writ of certiorari to the Supreme Court of the State of Oklahoma.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of Oklahoma, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Paul Verdier,

Appellant,

664 vs.

The Superior Court of the State of California in and for the City and County of San Francisco, et al.

Appeal from the District Court of Appeal of the State of California, First Appellate District.

THIS CAUSE came on to be heard on the transcript of the record from the District Court of Appeal of the State of California, First Appellate District, and was duly submitted.

ON CONSIDERATION WHEREOF, It is now here ordered by this Court that the appeal herein be, and the same is hereby, dismissed for the want of a substantial federal question.

Per Mr. Chief Justice Vinson.

Mr. Justice Murphy took no part in the consideration or decision of this case.

The Big Slough Drainage District of Sedgwick County, Kansas, et al.,

Appellants,

669 vs.

The Board of County Commissioners of Sedgwick County, Kansas, et al.

Appeal from the Supreme Court of the State of Kansas.

THIS CAUSE came on to be heard on the transcript of the record from the Supreme Court of the State of Kansas, and on motion to dismiss or affirm, which was duly submitted.

ON CONSIDERATION WHEREOF, It is now here ordered by this Court that the motion to dismiss the appeal herein be, and the same is hereby, granted.

IT IS FURTHER ORDERED that the appeal herein be, and the same is hereby, dismissed for the want of a substantial federal question.

Per Mr. Chief Justice Vinson.

Vern Smith,

Appellant,

690 vs.

The People of the State of California.

Appeal from the Superior Court of the State of California, Alameda County.

THIS CAUSE came on to be heard on the transcript of the record from the Superior Court of the State of California, Alameda County, and was duly submitted.

ON CONSIDERATION WHEREOF, It is now here ordered by this Court that the appeal herein be, and the same is hereby, dismissed for the want of a substantial federal question.

Per Mr. Chief Justice Vinson.

Harold Anderson,

Appellant,

698 vs.

The People of the State of Michigan.

Appeal from the Circuit Court of Berrien County, State of Michigan.

THIS CAUSE came on to be heard on the transcript of the record from the Circuit Court of Berrien County, State of Michigan, and on motion to dismiss or affirm, which was duly submitted.

ON CONSIDERATION WHEREOF, It is now here ordered by this Court that the motion to dismiss the appeal herein be, and the same is hereby, granted.

IT IS FURTHER ORDERED that the appeal herein be, and the same is hereby, dismissed for the want of a substantial federal question.

Per Mr. Chief Justice Vinson.

Louis Mitchell, Ralph Lipscomb, Jack Crowley, et al.,

Petitioners,

599 vs.

White Consolidated, Incorporated.

Order allowing certiorari.

The petition herein for a writ of certiorari to the United States Court of Appeals for the Seventh Circuit is granted.

And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

Louis Mitchell, Ralph Lipscomb, Jack Crowley, et al., Petitioners,

599 vs.

White Consolidated, Incorporated.

On writ of certiorari to the United States Court of Appeals for the Seventh Circuit.

THIS CAUSE came on to be heard on the transcript of the record from the United States Court of Appeals for the Seventh Circuit, and was duly submitted.

ON CONSIDERATION WHEREOF, It is now here ordered and adjudged by this Court that the judgment of the said United States Court of Appeals, dismissing the appeal in this cause, be, and the same is hereby, vacated, petitioners to recover their costs in this Court; and that this cause be, and the same is hereby, remanded to the said Court of Appeals to determine, pursuant to Rule 86(b) of the Rules of Civil Procedure, whether the application of amended Rule 73 (a) to this particular action would work injustice.

Per Mr. Chief Justice Vinson.

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The Chief Justice said:

"The other orders of the Court appear upon the list certified by the Chief Justice and filed with the clerk and will not be announced orally."

Secretary of Agriculture, Order allowing certiorari.

Petitioner,

575 vs.

Central Roig Refining Company, Western Sugar Refining Company, et al.

The petition herein for a writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit is granted. The case is consolidated with No. 580, Porto Rican American Sugar Refinery, Inc. vs. Central Roig Refining Co., for argument.

And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

Porto Rican American Sugar Refinery, Inc., Order allowing certiorari.

Petitioner,

580 vs.

Central Roig Refining Company and Western Sugar Refining Company.

The petition herein for a writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit is granted. The case is consolidated with No. 575, Secretary of Agriculture vs. Central Roig Refining Co., for argument.

And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

The Government of Puerto Rico, Order allowing certiorari.

Petitioner,

585 vs.

The Secretary of Agriculture, Porto Rican American Sugar Refinery, Inc.

The petition herein for a writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit is granted. The case is transferred to the summary docket and assigned for argument immediately

following Nos. 575 and 580, Secretary of Agriculture vs. Central Roig Refining Company, etc.

And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

The United States of America, Petitioner, Order allowing certiorari.

617 vs.

Aetna Casualty and Surety Company.

The petition herein for a writ of certiorari to the United States Court of Appeals for the Second Circuit is granted. The case is transferred to the summary docket.

And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

The United States of America, Petitioner, Order allowing certiorari.

618 vs.

World Fire and Marine Insurance Company.

The petition herein for a writ of certiorari to the United States Court of Appeals for the Tenth Circuit is granted. The case is transferred to the summary docket.

And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

The United States of America, Petitioner,

619 vs.

Yorkshire Insurance Company.

Order allowing certiorari.

The petition herein for a writ of certiorari to the United States Court of Appeals for the Third Circuit is granted. The case is transferred to the summary docket.

And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

The United States of America, Petitioner,

620 vs.

The Home Insurance Company.

Order allowing certiorari.

The petition herein for a writ of certiorari to the United States Court of Appeals for the Third Circuit is granted. The case is transferred to the summary docket.

And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

Inland Steel Company, Petitioner,

435 vs.

National Labor Relations Board, et al.

On petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Seventh Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Riordan J. A. Roett, Jr.,

Petitioner,

594 vs.

The United States of America.

On petition for writ of certiorari to the United States Court of Appeals for the Third Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Third Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Shepard Niles Crane and Hoist Corporation,

Petitioner,

597 vs.

William R. McComb, Administrator of the Wage and Hour Division, United States Department of Labor.

On petition for writ of certiorari to the United States Court of Appeals for the Second Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Second Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

The United States of America,

Petitioner,

602 vs.

Michele Daddona.

On petition for writ of certiorari to the United States Court of Appeals for the Second Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Second Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Capital Airlines, Inc.,

Petitioner,

608 vs.

Civil Aeronautics Board.

On petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the District of Columbia Circuit, it is ordered by this Court that the said petition be, and the same is hereby denied.

Per Mr. Chief Justice Vinson.

West Virginia Northern Railroad Company,

Petitioner,

635 vs.

Margaret R. Riley, Administratrix of the Estate of Henry C. Riley, Deceased.

On petition for writ of certiorari to the Supreme Court of Appeals of the State of West Virginia.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of Appeals of the State of West Virginia, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

West Virginia Northern Railroad Company,

Petitioner,

636 vs.

George Pritt.

On petition for writ of certiorari to the Supreme Court of Appeals of the State of West Virginia.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of Appeals of the State of West Virginia, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Robert Stueber and James M. Stueber,
Petitioners,
637 vs.
Admiral Corporation.

On petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Seventh Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Estate of Mortimer B. Fuller, Deceased, Kathryn S. Fuller, et al., Executors,
Petitioner,
639 vs.
Commissioner of Internal Revenue.

On petition for writ of certiorari to the United States Court of Appeals for the Third Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Third Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Universal Atlas Cement Company,
Petitioner,
645 vs.
Commissioner of Internal Revenue.

On petition for writ of certiorari to the United States Court of Appeals for the Second Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Second Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Helene S. Cohn,

Petitioner,

658 vs.

Morris B. Cohn and Dora A. Cohn, et al.

On petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the District of Columbia Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Atwell Building Corporation,

Petitioner,

661 vs.

Sound, Inc. and Fred Donenberg, Trustee.

On petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Seventh Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

John W. Hill,

Petitioner,

665 vs.

Terminal Railroad Association of St. Louis, a Corporation.

On petition for writ of certiorari to the Supreme Court of the State of Missouri.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of Missouri, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Oklahoma Tax Commission,

Petitioner,

40 vs.

The Texas Company; and

Oklahoma Tax Commission,

Petitioner,

41 vs.

Magnolia Petroleum Company.

The motion to enlarge the time to file petition for rehearing is granted. The request of counsel for the respondent in No. 41 to adopt the petition for rehearing in No. 40 is granted. The petition for rehearing is denied. In view of its contents, however, it may be added to what was said in the Court's opinion, 336 U. S. 342, that, as with all other questions of state law involved in the case, see id. at n. 44, insofar as the law of Oklahoma may permit the application of its taxing statutes only prospectively, nothing in this Court's opinion or decision forbids the Supreme Court of Oklahoma to apply that law to the taxes involved in this case. Cf. Great Northern R. Co. v. Sunburst Co., 287 U. S. 358, 364.

Per Mr. Chief Justice Vinson.

James McGregor,

Petitioner,

262, Misc. vs.

Joseph E. Ragen, Warden.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Homer Binkley,

Petitioner,

306, Misc. vs.

Walter A. Hunter, Warden.

ON CONSIDERATION of the motion for leave to file a petition for rehearing in this case,

IT IS ORDERED by this Court that the said motion be, and it is hereby, denied.

Per Mr. Chief Justice Vinson.

The United States of America,

Complainant,

No. ___, Original vs.

The State of Louisiana; and

The United States of America,

Complainant,

No. ___, Original vs.

The State of Texas.

ON CONSIDERATION of the motion of Annie C. and Agnes E. Lewis for leave to intervene in these causes,

IT IS ORDERED by this Court that the said motion be, and it is hereby, denied.

Per Mr. Chief Justice Vinson.

Howard Lang,

Petitioner,

4, Misc. vs.

Elmer Michael Walsh, Sheriff of Cook County, Illinois.

On petition for writ of certiorari to the Supreme Court of the State of Illinois.

It appearing to the Court that counsel for the petitioner has filed a motion to dismiss the petition for writ of certiorari in this case,

Therefore, pursuant to said motion, it is ordered by this Court that the petition for writ of certiorari in this case be, and it is hereby, dismissed.

Per Mr. Chief Justice Vinson.

George F. Smith,

Petitioner,

473, Misc. vs.

Joseph E. Ragen, Warden.

On petition for writ of certiorari to the Circuit Court of Will County of the State of Illinois.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Circuit Court of Will County of the State of Illinois, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Jack Smith,

Petitioner,

475, Misc. vs.

R. H. Hudspeth, Warden.

On petition for writ of certiorari to the Supreme Court of the State of Kansas.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of Kansas, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Everett Ross,

Petitioner,

481, Misc. vs.

Joseph E. Ragen, Warden.

On petition for writ of certiorari to the Circuit Court of Will County of the State of Illinois.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Circuit Court of Will County of the State of Illinois, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Albert Woodrow Rash,

Petitioner,

448, Misc. vs.

Ralph Howard, Warden.

ON CONSIDERATION of the motion for leave to file a petition for writ of habeas corpus herein,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Dominic Touche,

Petitioner,

474, Misc. vs.

Percy A. Lainson, as Warden.

ON CONSIDERATION of the motion for leave to file a petition for writ of habeas corpus herein,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

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Harvey Stemmer,

Petitioner,

567 vs.

The People of the State of New York; and

David Krakower,

Petitioner,

568 vs.

The People of the State of New York.

Argument continued by Mr. Osmond K. Fraenkel for petitioner, Harvey Stemmer; by Mr. Harry G. Anderson for petitioner, David Krakower; by Mr.

Whitman Knapp for the respondent and concluded by Mr. Osmond K. Fraenkel for petitioner, Harvey Stemmer.

Robert A. Watts,

Petitioner,

610 vs.

State of Indiana.

Argued by Mr. Franklin H. Williams and Mr. Thurgood Marshall for the petitioner and by Mr. Frank E. Coughlin for the respondent.

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Proclamation being made the Court is adjourned until Monday, May 2, next, at 12 o'clock.

MONDAY, MAY 2, 1949.

Pursuant to adjournment the Court met at the Supreme Court Building.

PRESENT:

The Honorable Fred M. Vinson, Chief Justice,
Hugo L. Black,
Stanley Reed,
Felix Frankfurter,
William O. Douglas, Associate Justices.
Robert H. Jackson,
Wiley Rutledge,
Harold H. Burton.

Thomas Ennalls Waggaman, Esquire, Marshal,

Charles Elmore Cropley, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. E. D. Millikin, It is ordered that John E. Gorsuch, Esquire, of Denver, State of Colorado, and Wayne M. Aspinall, Esquire, of Palisade, State of Colorado, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Thos. M. Creighton, Jr., It is ordered that Philip Blacklow, Esquire, of Boston, Commonwealth of Massachusetts, and Joseph M. Schwartz, Esquire, of New York, State of New York, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Joel D. Blackwell, It is ordered that Edwin C. Brown, Esquire, of Alexandria, Commonwealth of Virginia, and Leroy M. McKinney, Esquire, of Washington, District of Columbia, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Henry P. Chandler, It is ordered that Vernon J. Veron, Esquire, of Portland, State of Oregon, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Clifford J. Durr, It is ordered that Nathan H. David, Esquire, of Boston, Commonwealth of Massachusetts, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Joseph Zwerdling, It is ordered that Abraham L. Zwerdling, Esquire, of Detroit, State of Michigan, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Edner Clyde Algire, It is ordered that Kent D. Algire, Esquire, of Washington, District of Columbia, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Ira L. Ewers, It is ordered that Walter E. Maloney, Esquire, of New York, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Daniel J. Schrull, It is ordered that Brooks Thomas, Esquire, of El Paso, State of Texas, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Chester Ward, It is ordered that Edward J. Calhoun, Esquire, of Arlington, Commonwealth of Virginia, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Ralph E. Becker, It is ordered that Louis Wallisch, Jr., Esquire, of Passaic, State of New Jersey, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Joseph Forer, It is ordered that Harry Lott, Esquire, of New Rochelle, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Milton K. Eckert, It is ordered that John H. Crooker, Jr., Esquire, of Houston, State of Texas, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. William A. Smith, Jr., It is ordered that John Lambert Osmer, Esquire, of New York, State of New York, and David Hartfield, Jr., Esquire, of New York, State of New York, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

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The United States of America, Appellant, vs. Wallace & Tiernan Company, Inc., et al. — Appeal from the United States District Court for the District of Rhode Island.

416

THIS CAUSE came on to be heard on the transcript of the record from the United States District Court for the District of Rhode Island, and on motion to dismiss, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is now here ordered by this Court that the motion to dismiss the appeal herein be, and the same is hereby, denied.

IT IS FURTHER ORDERED AND ADJUDGED that the judgment of the District Court in this cause, be, and it is hereby, reversed; and that this cause be, and it is hereby, remanded to the said District Court for further proceedings in conformity with the opinion of this Court.

Per Mr. Justice Black.

The United States of America,

Petitioner,

640 vs.

Fred Urbuteit, Claimant of 16 Articles of Device, More or Less, Labeled "Sinuothermic," etc.

Order allowing certiorari.

The petition herein for a writ of certiorari to the United States Court of Appeals for the Fifth Circuit is granted.

And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

The United States of America,

Petitioner,

640 vs.

Fred Urbuteit, Claimant of 16 Articles of Device, More or Less, Labeled "Sinuothermic," etc.

On writ of certiorari to the United States Court of Appeals for the Fifth Circuit.

THIS CAUSE came on to be heard on the transcript of the record from the United States Court of Appeals for the Fifth Circuit, and was duly submitted.

ON CONSIDERATION WHEREOF, It is now here ordered and adjudged by this Court that the judgment of Feb. 1, 1949 of the said United States Court of Appeals, in this cause, be, and the same is hereby, reversed; and that this cause be, and the same is hereby, remanded to the said Court of Appeals for further proceedings in conformity with the opinion of this Court.

Per Mr. Chief Justice Vinson.

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The Chief Justice announced the following orders of the Court:

Harvey Stemmer,

Petitioner,

567 vs.

The People of the State of New York; and

On writs of certiorari to the Court of Appeals of the State of New York.

David Krakower,

Petitioner,

568 vs.

The People of the State of New York.

THIS CAUSE came on to be heard on the transcript of the record from the Court of Appeals of the State of New York, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is ordered and adjudged by this Court that the judgment of the said Court of Appeals in this cause, be, and the same is hereby, affirmed with costs by an equally divided Court.

Per Mr. Chief Justice Vinson.

Mr. Justice Jackson took no part in the consideration or decision of this cause.

Midwest Haulers, Inc., Mutual Trucking Company, et al.,

Appellants,

728 vs.

C. Emory Glander, Tax Commissioner of Ohio.

Appeal from the Supreme Court of the State of Ohio.

THIS CAUSE came on to be heard on the transcript of the record from the Supreme Court of the State of Ohio, and on motion to dismiss, which was duly submitted.

ON CONSIDERATION WHEREOF, It is now here ordered by this Court that the motion to dismiss the appeal herein be, and the same is hereby, granted.

IT IS FURTHER ORDERED that the appeal herein be, and the same is hereby, dismissed for the want of jurisdiction.

Per Mr. Chief Justice Vinson.

Midwest Haulers, Inc., Mutual Trucking Company, et al.,

Appellants,

728 vs.

C. Emory Glander, Tax Commissioner of Ohio.

Appeal from the Supreme Court of the State of Ohio.

TREATING the appeal papers herein from the Supreme Court of the State of Ohio as an application for a writ of certiorari;

ON CONSIDERATION WHEREOF, it is ordered by this Court that the said application for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

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The Chief Justice said:

"The other orders of the Court appear upon the list certified by the Chief Justice and filed with the clerk and will not be announced orally."

John S. Haynes,

Petitioner,

579 vs.

Southern Railway System.

ON CONSIDERATION of the motion of counsel for respondent to correct the record so that the name of Cincinnati, New Orleans and Texas Pacific Railway Company will be shown instead of Southern Railway System,

IT IS ORDERED by this Court that the said motion be, and it is hereby, granted and the title of the case is corrected to show Cincinnati, New Orleans and Texas Pacific Railway Company, instead of Southern Railway System.

Per Mr. Chief Justice Vinson.

The United States,

Petitioner,

624 vs.

The Toronto, Hamilton and Buffalo Navigation Company.

Order allowing certiorari.

The petition herein for a writ of certiorari to the Court of Claims is granted. And it is further ordered that the duly certified copy of the

transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ. The case is transferred to the summary docket.

Per Mr. Chief Justice Vinson.

Richard J. Brown, Order allowing certiorari.

Petitioner,

652 vs.

Western Railway of Alabama.

The petition herein for a writ of certiorari to the Court of Appeals of the State of Georgia is granted. The case is transferred to the summary docket.

And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

The United States, Order allowing certiorari.

Petitioner,

668 vs.

Helen W. Benedict and Frank B. Smith, as Trustees, et al.

The petition herein for a writ of certiorari to the Court of Claims is granted. And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ. The case is transferred to the summary docket.

Per Mr. Chief Justice Vinson.

The United States of America, ex rel. Ellen Knauff,

Petitioner,

733 vs.

W. Frank Watkins, as District Director of Immigration and Naturalization.

Order allowing certiorari.

The petition herein for a writ of certiorari to the United States Court of Appeals for the Second Circuit is granted.

And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

Harley F. Smith,

Petitioner,

265, Misc. vs.

Joseph E. Ragen, Warden, Illinois State Penitentiary, Joliet, Illinois.

On petition for writ of certiorari to the Circuit Court of Will County, State of Illinois.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, granted. The case is transferred to the appellate docket as No. 760.

Per Mr. Chief Justice Vinson.

John Hughes and Louis Richardson,

Petitioners,

408, Misc. vs.

Superior Court of the State of California in and for the County of Contra Costa.

On petition for writ of certiorari to the Supreme Court of the State of California.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted. The case is transferred to the appellate docket as No. 761.

It is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

Charles S. Aronstam, Petitioner, vs. The New York Central Railroad Company, et al. — On petition for writ of certiorari to the United States District Court for the Southern District of New York.

600

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States District Court for the Southern District of New York, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Eppler & Company, Petitioner, vs. The New York Central Railroad Company, et al. — On petition for writ of certiorari to the United States District Court for the Southern District of New York.

601

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States District Court for the Southern District of New York, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

J. C. Anderegg, Petitioner, vs. The United States of America. — On petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit.

605

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Fourth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Warren A. Doll,

Petitioner,

634 vs.

Joseph T. Meyer.

On petition for writ of certiorari to the Supreme Court of the State of Louisiana.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of Louisiana, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

The Chesapeake and Ohio Railway Company,

Petitioner,

638 vs.

Gilmer S. Morris.

On petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Seventh Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Edward H. Phillips and Emma E. Phillips, His Wife, et al.,

Petitioners,

642 vs.

Frank A. Saunders and Edith M. Saunders, His Wife, et al.

On petition for writ of certiorari to the Court of Appeals of the State of Maryland.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Court of Appeals of the State of Maryland, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

A. B. Momand,

Petitioner,

647 vs.

Universal Film Exchanges, Inc., et al.

On petition for writ of certiorari to the United States Court of Appeals for the First Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the First Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Maryland Casualty Company,

Petitioner,

651 vs.

Oliver Ray Toups, Individually and as Next Friend of Helena Estelle Toups, et al.

On petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Fifth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Jerome M. Ney,

Petitioner,

657 vs.

The United States of America.

On petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Eighth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

A. N. Spanel,

Petitioner,

660 vs.

Dr. Boris Berkman and Dr. Sophia Berkman.

On petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Seventh Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Brooklyn and Richmond Ferry Company, Inc.,

Petitioner,

666 vs.

Commissioner of Internal Revenue.

On petition for writ of certiorari to the United States Court of Appeals for the Second Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Second Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Eula Wolfe, Nee Perry, Salina Scott, Lena McLane, Now Clark, et al.,

Petitioners,

684 vs.

Oren Phillips and Janie Phillips, His Wife, et al.

On petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Tenth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Frederic Henry,

Petitioner,

598 vs.

General Courtney N. Hodges, Commanding General, First Army, Fort Jay, New York.

ON CONSIDERATION of the motion of the Solicitor General of the United States to substitute the party respondent in this case,

IT IS ORDERED by this Court that the said motion be, and it is hereby, granted and that Lt. General Walter Bedell Smith, present Commanding General, First Army, be substituted as the party respondent in place of General Courtney N. Hodges, retired.

Per Mr. Chief Justice Vinson.

Frederic Henry,

Petitioner,

598 vs.

Lt. General Walter Bedell Smith, Commanding General, First Army, Fort Jay, New York.

ON CONSIDERATION of the motion to dispense with printing the court martial record in this case,

IT IS ORDERED by this Court that the said motion be, and it is hereby, granted.

Per Mr. Chief Justice Vinson.

Frederic Henry,

Petitioner,

598 vs.

Lt. General Walter Bedell Smith, Commanding General, First Army, Fort Jay, New York.

On petition for writ of certiorari to the United States Court of Appeals for the Second Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Second Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Robert S. Becker,

Petitioner,

607 vs.

Major General Robert M. Webster,
Commanding Officer at Fort Slocum,
New York.

ON CONSIDERATION of the motion to dispense with printing the petition, brief, and record in this case,

IT IS ORDERED by this Court that the said motion be, and it is hereby, granted.

Per Mr. Chief Justice Vinson.

Robert S. Becker,

Petitioner,

607 vs.

Major General Robert M. Webster, Commanding
Officer at Fort Slocum, New York.

On petition for writ of certiorari to the United States Court of Appeals for the Second Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Second Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Russell Crawford,

Petitioner,

646 vs.

Joseph E. Ragen, Warden, Illinois State
Penitentiary, Joliet, Illinois.

ON CONSIDERATION of the motion to dispense with printing the petition, brief, and record in this case,

IT IS ORDERED by this Court that the said motion be, and it is hereby, granted.

Per Mr. Chief Justice Vinson.

Russell Crawford,

Petitioner,

646 vs.

Joseph E. Ragen, Warden, Illinois State Penitentiary, Joliet, Illinois.

On petition for writ of certiorari to the Supreme Court of the State of Illinois.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of Illinois, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

William Haskell Brown,

Petitioner,

653 vs.

Walter A. Hunter, Warden, United States Penitentiary, Leavenworth, Kansas, et al.

ON CONSIDERATION of the motion to dispense with printing the record in this case,

IT IS ORDERED by this Court that the said motion be, and it is hereby, granted.

Per Mr. Chief Justice Vinson.

William Haskell Brown,

Petitioner,

653 vs.

Walter A. Hunter, Warden, United States Penitentiary, Leavenworth, Kansas, and The United States of America.

On petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Tenth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

John Horace Correll,

Petitioner,

707 vs.

State of North Carolina.

ON CONSIDERATION of the motion to dispense with printing the petition for writ of certiorari in this case,

IT IS ORDERED by this Court that the said motion be, and it is hereby, granted.

Per Mr. Chief Justice Vinson.

John Horace Correll,

Petitioner,

707 vs.

State of North Carolina.

On petition for writ of certiorari to the Supreme Court of the State of North Carolina.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of North Carolina, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

International Union, U. A. W., A. F. of L., Local 232, et al.,

Petitioners,

14 vs.

Wisconsin Employment Relations Board, et al.; and

International Union, U. A. W., A. F. of L., Local 232, et al.,

Petitioners,

15 vs.

Wisconsin Employment Relations Board, et al.

A petition for rehearing having been filed in these cases,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

International Longshoremen's and
Warehousemen's Union (CIO), et al.,

Petitioners,

510 vs.

Cable A. Wirtz, as Judge of the Circuit
Court of the Second Judicial Circuit,
Territory of Hawaii, et al.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Cora L. Lagemann,

Appellant,

557 vs.

Harold B. Lagemann.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

C. H. Bunn,

Appellant,

643 vs.

State of North Carolina.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

James Steele,

Petitioner,

360, Misc. vs.

J. Vernal Jackson, Warden.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

William W. Curtis,

Petitioner,

218, Misc. vs.

George W. Humphrey, Warden.

A second petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

People of the State of Illinois, ex rel. Tony Marino,

Petitioner,

30, Misc. vs.

Joseph E. Ragen, Warden.

On petition for writ of certiorari to the Circuit Court of Winnebago County of the State of Illinois.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Circuit Court of Winnebago County of the State of Illinois, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas, Mr. Justice Murphy, and Mr. Justice Rutledge are of the opinion certiorari should be granted.

Arthur C. McLaren, Petitioner, vs. Walter Nierstheimer, Warden. — On petition for writ of certiorari to the Criminal Court of Cook County of the State of Illinois.

276, Misc.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Criminal Court of Cook County of the State of Illinois, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Arthur C. McLaren, Petitioner, vs. Walter Nierstheimer, Warden. — On petition for writ of certiorari to the Circuit Court of Randolph County of the State of Illinois.

304, Misc.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Circuit Court of Randolph County of the State of Illinois, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Herman Frederick Weber, Petitioner, vs. State of Illinois. — On petition for writ of certiorari to the Supreme Court of the State of Illinois.

439, Misc.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of Illinois, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Edward Morgan MacKenna,
Petitioner,
472, Misc. vs.
People of the State of New York.

On petition for writ of certiorari to the Court of Appeals of the State of New York.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Court of Appeals of the State of New York, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Camile A. Tabet and George Voalk,
Petitioners,
488, Misc. vs.
People of the State of Illinois.

On petition for writ of certiorari to the Supreme Court of the State of Illinois.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of Illinois, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Daisy D. Wilson,
Petitioner,
539, Misc. vs.
Ralph S. Hinman, et al.

On petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Tenth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Daniel Bardell,

Petitioner,

543, Misc. vs.

People of the State of Illinois.

On petition for writ of certiorari to the Supreme Court of the State of Illinois.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of Illinois, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Frank Wrona,

Petitioner,

544, Misc. vs.

Joseph E. Ragen, Warden.

On petition for writ of certiorari to the Criminal Court of Cook County of the State of Illinois.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Criminal Court of Cook County of the State of Illinois, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Henry Foreman,

Petitioner,

548, Misc. vs.

Joseph E. Ragen, Warden.

On petition for writ of certiorari to the Criminal Court of Cook County of the State of Illinois.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Criminal Court of Cook County of the State of Illinois, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

John Bongiorno,

Petitioner,

549, Misc. vs.

Walter Nierstheimer, Warden.

On petition for writ of certiorari to the Supreme Court of the State of Illinois.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of Illinois, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Emil W. K. Beckman,

Petitioner,

588, Misc. vs.

Robert J. Barrett, Major and Superintendent of Police.

On petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the District of Columbia Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

In the Matter of Alois Muhlbauer,
452, Misc. Petitioner;

In the Matter of Wilhelm List,
455, Misc. Petitioner;

In the Matter of Lothor Rendulic,
456, Misc. Petitioner;

In the Matter of Walter Kuntze,
457, Misc. Petitioner;

In the Matter of Hellmuth Felmy,
458, Misc. Petitioner;

In the Matter of Hubert Lanz,
459, Misc. Petitioner;

In the Matter of Ernst Dehner,
460, Misc. Petitioner;

In the Matter of Ernst Leyser,
461, Misc. Petitioner;

In the Matter of Wilhelm Speidel,
462, Misc. Petitioner;

In the Matter of Wilhelm Von Ammon,
463, Misc. Petitioner;

In the Matter of Dr. Guenther Joel,
464, Misc. Petitioner;

In the Matter of Herbert Klemm,
465, Misc. Petitioner;

In the Matter of Ernst Lautz,
466, Misc. Petitioner;

In the Matter of Dr. Wolfgang Mettgenberg,
467, Misc. Petitioner;

In the Matter of Rudolf Oeschey,
468, Misc. Petitioner;

In the Matter of Dr. Oswald Rothaug,
469, Misc. Petitioner;

In the Matter of Kurt Rothenberger,
470, Misc. Petitioner;

In the Matter of Dr. Franz Schlegelberger,
471, Misc. Petitioner;

In the Matter of Dr. Hans Bobermin,
493, Misc. Petitioner;

In the Matter of Franz Eirenschmalz,
494, Misc. Petitioner;

In the Matter of August Frank,
495, Misc. Petitioner;

In the Matter of Heinz Karl Fanslau,
496, Misc. Petitioner;

In the Matter of Hans Hohberg,
497, Misc. Petitioner;

In the Matter of George Loerner,
498, Misc. Petitioner;

In the Matter of Hans Loerner,
499, Misc. Petitioner;

In the Matter of Karl Mummenthey,
500, Misc. Petitioner;

In the Matter of Oswald Pohl,
501, Misc. Petitioner;

In the Matter of Karl Sommer,
502, Misc. Petitioner;

In the Matter of Dr. Leo Volk,
503, Misc. Petitioner;

In the Matter of Dr. Hans Hohberg,
504, Misc. Petitioner;

In the Matter of Dr. Hermann Pook,
505, Misc. Petitioner;

In the Matter of Karl Sommer,
506, Misc. Petitioner;

In the Matter of Oswald Pohl, et al.,
507, Misc. Petitioner;

In the Matter of Heinz Brueckner,
508, Misc. Petitioner;

In the Matter of Rudolf Creutz,
509, Misc. Petitioner;

In the Matter of Otto Hofmann,
510, Misc. Petitioner;

In the Matter of Herbert Huebner,
511, Misc. Petitioner;

In the Matter of Werner Lorenz,
512, Misc. Petitioner;

In the Matter of Fritz Schwalm,
513, Misc. Petitioner;

In the Matter of Ernst Biberstein,
514, Misc. Petitioner;

In the Matter of Paul Blobel,
515, Misc. Petitioner;

In the Matter of Dr. Walter Blume,
516, Misc. Petitioner;

In the Matter of Dr. Werner Braune,
517, Misc. Petitioner;

In the Matter of Walter Haensch,
518, Misc. Petitioner;

In the Matter of Heinz Jost,
519, Misc. Petitioner;

In the Matter of Woldemar Klingelhoefer,
520, Misc. Petitioner;

In the Matter of Erich Naumann,
521, Misc. Petitioner;

In the Matter of Willy Seibert,
522, Misc. Petitioner;

In the Matter of Heinz Schubert,
523, Misc. Petitioner;

In the Matter of Eugen Steimle,
524, Misc. Petitioner;

In the Matter of Dr. Eduard Strauch,
525, Misc. Petitioner;

In the Matter of Waldemar Von Radetzky,
526, Misc. Petitioner;

In the Matter of Dr. Franz Six,
527, Misc. Petitioner;

In the Matter of Adolf Ott,

528, Misc. Petitioner;

In the Matter of Otto Ohlendorf,

529, Misc. Petitioner;

In the Matter of Martin Sandberger,

530, Misc. Petitioner;

In the Matter of Waldemar Von Radetzky,

531, Misc. Petitioner; and

In the Matter of Hermann Hoth,

532, Misc. Petitioner.

Treating the application in each of these cases as a motion for leave to file a petition for an original writ of habeas corpus, leave to file is denied.

Per Mr. Chief Justice Vinson.

The Chief Justice, Mr. Justice Reed, Mr. Justice Frankfurter, and Mr. Justice Burton are of the opinion that there is want of jurisdiction. U. S. Constitution, Article III, Sec. 2, Clause 2; see Ex parte Betz and companion cases, all 329 U. S. 672 (1946); Milch v. United States, 332 U. S. 789 (1947); Brandt v. United States, 333 U. S. 836 (1948); In re Eichel, 333 U. S. 865 (1948); Everett v. Truman, 334 U. S. 824 (1948).

Mr. Justice Black, Mr. Justice Douglas, Mr. Justice Murphy, and Mr. Justice Rutledge are of the opinion that argument should be heard on the motions for leave to file the petitions in order to settle what remedy, if any, the petitioners have.

Mr. Justice Jackson took no part in the consideration or decision of these applications.

George Wilson,

Petitioner,

534, Misc. vs.

State of Oklahoma.

ON CONSIDERATION of the motion for leave to file a petition for writ of habeas corpus herein,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

John Fritz,

Petitioner,

541, Misc. vs.

C. J. Burke, Warden.

ON CONSIDERATION of the motion for leave to file a petition for writ of habeas corpus herein,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Wallace Phillips,

Petitioner,

483, Misc. vs.

Joseph E. Ragen, Warden.

ON CONSIDERATION of the motion for leave to file a petition for writ of certiorari in this case,

IT IS ORDERED by this Court that the said motion be, and it is hereby, denied.

Per Mr. Chief Justice Vinson.

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The Court will take a recess from today until Monday, May 9, next.

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Proclamation being made the Court is adjourned until Monday, May 9, next, at 12 o'clock.

MONDAY, MAY 9, 1949.

Pursuant to adjournment the Court met at the Supreme Court Building.

PRESENT:

The Honorable Fred M. Vinson, Chief Justice,
Hugo L. Black,
Stanley Reed,
Felix Frankfurter,
William O. Douglas, Associate Justices.
Robert H. Jackson,
Wiley Rutledge,
Harold H. Burton.
Thomas Ennalls Waggaman, Esquire, Marshal,
Charles Elmore Cropley, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Solicitor General Philip B. Perlman, It is ordered that Raymond S. Tompkins, Esquire, of Baltimore, State of Maryland; Walter H. Brummund, Esquire, of Appleton, State of Wisconsin; Theodore J. Himmelberg, Jr., Esquire, of Washington, District of Columbia; Paul Fred Ahlers, Esquire, of Des Moines, State of Iowa; and Matthew J. Levitt, Esquire, of Minneapolis, State of Minnesota, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. John A. Carroll, It is ordered that Frank H. Conry, Esquire, of Denver, State of Colorado, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Stephen Pace, It is ordered that William H. Young, Jr., Esquire, of Columbus, State of Georgia, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Bolling R. Powell, Jr., It is ordered that R. O. Norris, Esquire, of Lively, Commonwealth of Virginia, and Gordon Lewis, Esquire, of Tappahannock, Commonwealth of Virginia, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Earl C. Michener, It is ordered that David W. Kendall, Esquire, of Jackson, State of Michigan, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Homer D. Angell, It is ordered that Alfred P. Kelley, Esquire, of Portland, State of Oregon, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Joseph A. Cantrel, It is ordered that John Henry Lewis, Esquire, of Hoisington, State of Kansas, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Henry P. Chandler, It is ordered that Earl Carlisle Moore, Esquire, of Wichita, State of Kansas, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. John H. Moeur, It is ordered that Ernest W. McFarland, Esquire, of Florence, State of Arizona; James A. Walsh, Esquire, of Phoenix, State of Arizona; and Thomas L. Hall, Esquire, of Nogales, State of Arizona, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Guilford Stanely Jameson, It is ordered that Thomas A. Gaffney, Esquire, of New York, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Brooks Hays, It is ordered that John B. Ward, Esquire, of Russellville, State of Arkansas, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Francis E. Walter, It is ordered that John A. Ryan, Esquire, of Easton, Commonwealth of Pennsylvania, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Harold L. Kennedy, It is ordered that George Hamilton Bowen, Esquire, of Tulsa, State of Oklahoma, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. M. E. Jones, It is ordered that Andrew E. Carlsen, Esquire, of Minneapolis, State of Minnesota, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Arthur E. Seagrave, It is ordered that Norman P. Seagrave, Esquire, of Alexandria, Commonwealth of Virginia, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Leo K. Martus, It is ordered that Simon M. Seley, Esquire, of Newark, State of New Jersey, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. John H. Dorsey, It is ordered that Harold L. Moskowitz, Esquire, of Monticello, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Harvey J. Gunderson, It is ordered that James L. Dougherty, Esquire, of Washington, District of Columbia; George B. Stoner, Esquire, of Washington, District of Columbia; James W. Considine, Esquire, of Washington, District of Columbia;

Robert Newton Reid, Esquire, of Washington, District of Columbia; Walter Hopkins Young, Esquire, of Zanesville, State of Ohio; Dudley H. Digges, Esquire, of Silver Spring, State of Maryland; Marvin E. Weaver, Esquire, of Arlington, Commonwealth of Virginia; Austin G. Roe, Esquire, of Bethesda, State of Maryland; and Robert K. Thurber, Esquire, of Bethesda, State of Maryland, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Wilbur R. Lester, It is ordered that J. Kenneth Baird, Esquire, of Chicago, State of Illinois, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Lawrence C. Kingsland, It is ordered that Christian B. Peper, Esquire, of Saint Louis, State of Missouri, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Price Daniel, It is ordered that J. Chrys Dougherty, Esquire, of Austin, State of Texas, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. E. James Sax, It is ordered that Ralph F. Staubly, Jr., Esquire, of Silver Spring, State of Maryland, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. W. Blum, Jr., It is ordered that Francis C. Nash, Esquire, of Washington, District of Columbia, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Albert A. Carretta, It is ordered that Irving E. Tarson, Esquire, of Los Angeles, State of California, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Robert C. Bell, It is ordered that Marianne Bell McConnaughey, of Chevy Chase, State of Maryland, be admitted to practice as an Attorney and Counsellor of this Court, and she was sworn accordingly. (Mrs.)

On motion first made to the Court in this behalf by Mr. Charles B. Heinemann, Jr., It is ordered that John Kennedy Lynch, Jr., Esquire, of Bethesda, State of Maryland, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Robert E. Kline, Jr., It is ordered that Lester I. Bowman, Esquire, of Petersburg, Commonwealth of Virginia, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. John Alvin Croghan, It is ordered that Elbert Erskine Blakely, Esquire, of Washington, District of Columbia, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. J. Edgar Murdock, It is ordered that Willis Edward Topper, Esquire, of Greensburg, Commonwealth of Pennsylvania, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

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The United States of America, ex rel. May Johnson,

Petitioner,

506 vs.

Edward J. Shaughnessy, Acting District Director of Immigration and Naturalization Service in the New York District, etc.

On writ of certiorari to the United States Court of Appeals for the Second Circuit.

THIS CAUSE came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Second Circuit, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is now here ordered and adjudged by this Court that the judgment of the said United States Court of Appeals, in this cause, be, and the same is hereby, reversed; and that this cause be, and the same is hereby, remanded to the United States District Court for the Southern District of New York for entry of an order affording petitioner a proper hearing and medical examination before the appropriate public health authorities as indicated in the opinion of this Court.

Per Mr. Justice Black.

Dissenting opinion by Mr. Justice Reed in which Mr. Chief Justice Vinson and Mr. Justice Burton join.

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The Chief Justice said:

"The orders of the Court appear upon the list certified by the Chief Justice and filed with the clerk and will not be announced orally."

The United States of America, ex rel.
Ellen Knauff,

Petitioner,

733 vs.

W. Frank Watkins, as District Director
of Immigration and Naturalization.

ON CONSIDERATION of the motion of counsel for petitioner to substitute the party respondent in this case,

IT IS ORDERED by this Court that the said motion be, and it is hereby, granted; and that Edward J. Shaughnessy, Acting District Director of Immigration and Naturalization, be, and he is hereby substituted as the party respondent and that the cause be so continued and maintained.

Per Mr. Chief Justice Vinson.

Commerce Company,

Petitioner,

628 vs.

The United States of America.

On petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Fifth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Frank Bailey, et al.,

Petitioners,

676 vs.

Edward O. Proctor, et al.

On petition for writ of certiorari to the United States Court of Appeals for the First Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the First Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Fred P. Weissman, an Individual d/b/a Fred P. Weissman Company, et al.,

Petitioners,

677 vs.

National Labor Relations Board.

On petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Sixth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Fred P. Weissman Company,

Petitioner,

678 vs.

National Labor Relations Board.

On petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Sixth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

W. B. Doak, et al.,

Petitioners,

739 vs.

Federal Land Bank of Baltimore.

On petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Fourth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

In the Matter of Arthur Curtis Antrim Bush,

Petitioner.

379, Misc.

ON CONSIDERATION of the motion for leave to file a petition for writ of habeas corpus herein,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, denied without prejudice to the right to apply to any appropriate court that may have jurisdiction.

Per Mr. Chief Justice Vinson.

In the Matter of the Federal Security Administrator and the Attorney General,

597, Misc. Petitioners.

The motion for leave to file petition for writs of prohibition and/or mandamus is granted. A rule is ordered to issue, returnable on Monday, May 16, requiring the respondents to show cause why the petition for writs of prohibition and/or mandamus should not be granted and the cause is assigned for argument on that day. The motion of Mytinger and Casselberry, Inc. for leave to intervene is granted.

Per Mr. Chief Justice Vinson.

George W. Humphrey, Warden, etc.,

Petitioner,

457 vs.

Bernard W. Smith.

ON CONSIDERATION of the motion of counsel for respondent to extend the time for filing a petition for rehearing in this case,

IT IS ORDERED by this Court that the time for filing such petition be, and it is hereby, extended to and including May 24, 1949.

Per Mr. Chief Justice Vinson.

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The Court will take a recess upon the conclusion of the argument in the cases specially assigned for today until Monday, May 16, next.

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The United States of America,

Plaintiff,

No. ___, Original vs.

The State of Louisiana.

Argued on the motion to file complaint and objections thereto by Mr. Solicitor General Perlman for the plaintiff, and by Mr. F. Trowbridge Vom Bauer and Mr. L. H. Perez for the defendant.

The United States of America,

Plaintiff,

No. ___, Original vs.

The State of Texas.

Argued on the motion to file complaint and objections thereto by Mr. Solicitor General Perlman for the plaintiff, and by Mr. Price Daniel for the defendant.

Federal Communications Commission,

Petitioner,

584 vs.

Broadcasting Service Organization, Inc.

Argued by Mr. Solicitor General Perlman for the petitioner and by Mr. Walter M. Bastian for the respondent.

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Proclamation being made the Court is adjourned until Monday, May 16, next, at 12 o'clock.

MONDAY, MAY 16, 1949.

Pursuant to adjournment the Court met at the Supreme Court Building.

PRESENT:

The Honorable Fred M. Vinson, Chief Justice,
Hugo L. Black,
Stanley Reed,
Felix Frankfurter,
William O. Douglas,
Frank Murphy,
Robert H. Jackson,
Wiley Rutledge,
Harold H. Burton,
Associate Justices.

Thomas Ennalls Waggaman, Esquire, Marshal,

Charles Elmore Cropley, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Solicitor General Philip B. Perlman, It is ordered that Paul Carroll Wolman, Esquire, of Baltimore, State of Maryland, and George M. Bryant, Esquire, of Los Angeles, State of California, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. John L. McClellan, It is ordered that P. L. Smith, Esquire, of Antoine, State of Arkansas, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. John Sparkman, It is ordered that George W. McBurney, Esquire, of Florence, State of Alabama, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Chauncey W. Reed, It is ordered that Philip M. Ward, Esquire, of Sterling, State of Illinois, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. William A. Sutherland, It is ordered that Mark H. Johnson, Esquire, of New York, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Shelby Fitzo, It is ordered that Hilary Earl Cox, Esquire, of Houston, State of Texas, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Paul J. Kilday, It is ordered that Charles W. Trueheart, Esquire, of San Antonio, State of Texas, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Hugh T. Fullerton, It is ordered that Albert J. Shults, Esquire, of San Francisco, State of California, and Harry R. Horrow, Esquire, of San Francisco, State of California, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. William W. Clary, It is ordered that Leroy A. Wright II, Esquire, of San Diego, State of California, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Isidor Ostroff, It is ordered that Levy Anderson, Esquire, of Philadelphia, Commonwealth of Pennsylvania, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Gerard D. Reilly, It is ordered that John K. Ruckelshaus, Esquire, of Indianapolis, State of Indiana, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. John J. Sirica, It is ordered that Lucien L. Dunbar, Esquire, of Indianapolis, State of Indiana, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Leonard Raum, It is ordered that Theodore Tannenwald, Jr., Esquire, of New York, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Harry I. Rand, It is ordered that Samuel E. Ziegler, Esquire, of Dallas, State of Texas, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

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Welker B. Brooks, Petitioner, vs. The United States of America. 388

On writ of certiorari to the United States Court of Appeals for the Fourth Circuit.

THIS CAUSE came on to be heard on the transcript of the record from the United States Court of Appeals for the Fourth Circuit, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is now here ordered and adjudged by this Court that the judgment of the said United States Court of Appeals, in this cause, be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the said Court of Appeals for further proceedings in conformity with the opinion of this Court.

Per Mr. Justice Murphy.

Dissenting: Mr. Justice Frankfurter and Mr. Justice Douglas.

James M. Brooks, Administrator of the Estate of Arthur L. Brooks, Deceased,

Petitioner,

389 vs.

The United States of America.

On writ of certiorari to the United States Court of Appeals for the Fourth Circuit.

THIS CAUSE came on to be heard on the transcript of the record from the United States Court of Appeals for the Fourth Circuit, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is now here ordered and adjudged by this Court that the judgment of the said United States Court of Appeals, in this cause, be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the said Court of Appeals for further proceedings in conformity with the opinion of this Court.

Per Mr. Justice Murphy.

Dissenting: Mr. Justice Frankfurter and Mr. Justice Douglas.

Arthur Terminiello,

Petitioner,

272 vs.

City of Chicago.

On writ of certiorari to the Supreme Court of the State of Illinois.

THIS CAUSE came on to be heard on the transcript of the record from the Supreme Court of the State of Illinois, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is ordered and adjudged by this Court that the judgment of the said Supreme Court, in this cause, be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the said Supreme Court for proceedings not inconsistent with the opinion of this Court.

Per Mr. Justice Douglas.

Dissenting opinion by Mr. Chief Justice Vinson.
Dissenting opinion by Mr. Justice Frankfurter in which Mr. Justice Jackson and Mr. Justice Burton join.
Dissenting opinion by Mr. Justice Jackson in which Mr. Justice Burton joins.

The Union National Bank of Wichita, Kansas,

Appellant,

vs.

Carl C. Lamb.

Appeal from the Supreme Court of the State of Missouri.

500

THIS CAUSE came on to be heard on the transcript of the record from the Supreme Court of the State of Missouri, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is now here ordered by this Court that the appeal herein be, and the same is hereby, dismissed. Treating the appeal papers herein as a petition for writ of certiorari, certiorari is granted.

IT IS FURTHER ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause, be, and the same is hereby, reversed with costs; and that this cause, be, and the same is hereby, remanded to the said Supreme Court for further proceedings not inconsistent with the opinion of this Court.

Per Mr. Justice Douglas.

Dissenting: Mr. Justice Black and Mr. Justice Rutledge.
Dissenting opinion by Mr. Justice Frankfurter.

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The Chief Justice announced the following orders of the Court:

Securities and Exchange Commission,

Petitioner,

vs.

Philadelphia Company.

Order allowing certiorari.

670

The petition herein for a writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit is granted.

And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

Securities and Exchange Commission,
Petitioner,
670 vs.
Philadelphia Company.

On writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit.

IT APPEARING to the Court that counsel for the parties have filed a joint motion suggesting that the cause is moot and that it be remanded to the Court of Appeals with directions to dismiss the petition for review as moot.

THEREFORE, pursuant to said joint motion, it is ordered and adjudged by this Court that the judgment of the Court of Appeals in this cause, be, and it is hereby, vacated; and that this cause, be, and it is hereby, remanded to the said Court of Appeals with directions to dismiss the petition for review as moot.

Per Mr. Chief Justice Vinson.

James A. Kennedy,
Appellant,
679 vs.
Ralph H. Walker, Warden, Connecticut State Prison.

Appeal from the Supreme Court of Errors of the State of Connecticut.

THIS CAUSE came on to be heard on the transcript of the record from the Supreme Court of Errors of the State of Connecticut, and was duly submitted.

ON CONSIDERATION WHEREOF, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court of Errors, in this cause, be, and the same is hereby, affirmed with costs.

Per Mr. Chief Justice Vinson.

Dissenting: Mr. Justice Black, Mr. Justice Douglas, Mr. Justice Murphy, and Mr. Justice Rutledge.

Federal Communications Commission, Petitioner, vs. Broadcasting Service Organization, Inc. — On writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit.

584

THIS CAUSE came on to be heard on the transcript of the record from the United States Court of Appeals for the District of Columbia Circuit, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is now here ordered and adjudged by this Court that the judgment of the said United States Court of Appeals, in this cause, be, and the same is hereby, reversed; and that this cause be, and the same is hereby, remanded to the said Court of Appeals for proceedings in conformity with the opinion of this Court. Federal Communications Commission v. WOKO, 329 U. S. 223.

Per Mr. Chief Justice Vinson.

The United States of America, Plaintiff, vs. The State of Louisiana. — 13, Original

ON CONSIDERATION of the motion for leave to file the complaint in this cause,

IT IS ORDERED by this Court that the said motion be, and it is hereby, granted and process is ordered to issue returnable on or before September 1, next.

Per Mr. Chief Justice Vinson.

Mr. Justice Jackson took no part in the consideration or decision of this motion.

The United States of America, Plaintiff, vs. The State of Texas. — 14, Original

ON CONSIDERATION of the motion for leave to file the complaint in this cause,

IT IS ORDERED by this Court that the said motion be, and it is hereby, granted and process is ordered to issue returnable on or before September 1, next.

Per Mr. Chief Justice Vinson.

Mr. Justice Jackson took no part in the consideration or decision of this motion.

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The Chief Justice said:

"The other orders of the Court appear upon the list certified by the Chief Justice and filed with the clerk and will not be announced orally."

Leo Cassell,

Petitioner,

692 vs.

The State of Texas.

It is ordered that Chris Dixie, Esquire, of Houston, Texas, be, and he is hereby, appointed to serve as counsel for the petitioner in this case.

Per Mr. Chief Justice Vinson.

Harley F. Smith,

Petitioner,

760 vs.

Joseph E. Ragen, Warden, Illinois State Penitentiary, Joliet, Illinois.

It is ordered that Herbert A. Friedlich, Esquire, of Chicago, Illinois, be, and he is hereby, appointed to serve as counsel for the petitioner in this case.

Per Mr. Chief Justice Vinson.

Graver Tank & Mfg. Co., Inc., et al.,

Petitioners,

185 vs.

The Linde Air Products Company.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, granted, limited to the question of infringement of Claims 18, 20, 22, and 23 of the Jones et al. patent. The Court desires argument as to the applicability of the doctrine of equivalents to the findings of fact in this case.

Per Mr. Chief Justice Vinson.

Louis A. Reilly, as Postmaster of the City of Newark in the County of Essex and State of New Jersey,

Petitioner,

583 vs.

Joseph J. Pinkus, Trading as American Aids Company, Also Known as Energy Food Center.

Order allowing certiorari.

The petition herein for a writ of certiorari to the United States Court of Appeals for the Third Circuit is granted.

And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

Gladys Broadhurst,

Petitioner,

561 vs.

State of Oregon.

On petition for writ of certiorari to the Supreme Court of the State of Oregon.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of Oregon, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Arthur Russell Howell,

Petitioner,

592 vs.

The United States of America.

On petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Fourth Circuit, it is ordered by this Court that the sdid petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

The United States,

Petitioner,

625 vs.

Hazel L. Fauber, Administratrix, C. T.A.

On petition for writ of certiorari to The Court of Claims.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Court of Claims and of the argument of counsel thereupon had, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Anthony Scocozza, an Infant, by Ermino Scocozza, his Guardian ad litem and Ermino Scocozza,

Petitioners,

673 vs.

Erie Railroad Company.

On petition for writ of certiorari to the United States Court of Appeals for the Second Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Second Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Dinah Shaw, a Stockholder of Celanese Corporation of America, etc.,

Petitioner,

681 vs.

Damille Dreyfus and Celanese Corporation of America.

On petition for writ of certiorari to the United States Court of Appeals for the Second Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Second Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mather and Co.,

Petitioner,

682 vs.

Commissioner of Internal Revenue.

On petition for writ of certiorari to the United States Court of Appeals for the Third Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Third Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

George W. Hartmann,

Petitioner,

683 vs.

The American News Company.

On petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Seventh Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Warren W. Dunnell,

Petitioner,

686 vs.

Safeway Stores, Inc.

On petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Ninth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Metropolitan Trust Co., as Conservator for Stanley O. Lawrence, an Incompetent Person,

Petitioner,

687 vs.

The Muter Company and Leslie F. Muter.

On petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Seventh Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Metropolitan Trust Co., as Conservator for Stanley O. Lawrence, an Incompetent Person,

Petitioner,

688 vs.

The Muter Company and Leslie F. Muter.

On petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Seventh Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Harbor Towing Corporation,

Petitioner,

702 vs.

Luke R. Parker, Owner of the M/V "Ruth Conway" and Swift and Company.

On petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Fourth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Gerald F. Updike, Mrs. Grace Pearl Updike, Leon W. Updike, et al.,

Petitioners,

714 vs.

Ivan M. West, J. C. Dunlap, P. N. Nacheff, et al.

On petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Tenth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

The Republic of the United States of Brazil, Trading Under the Name and Style of Lloyd Brasileiro,

Petitioner,

741 vs.

General Foods Corporation.

On petition for writ of certiorari to the United States Court of Appeals for the Second Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Second Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

The Sioux Tribe of Indians,

Petitioner,

526 vs.

The United States; and

The Sioux Tribe of Indians,

Petitioner,

527 vs.

The United States.

ON CONSIDERATION of the motions in these cases to use the certified records in Nos. 368 and 369, October Term, 1946,

IT IS ORDERED by this Court that the said motions be, and they are hereby, granted.

Per Mr. Chief Justice Vinson.

The Sioux Tribe of Indians,

Petitioner,

526 vs.

The United States.

On petition for writ of certiorari to The Court of Claims.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Court of Claims and of the argument of counsel thereupon had, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

The Sioux Tribe of Indians,

Petitioner,

527 vs.

The United States.

On petition for writ of certiorari to The Court of Claims.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Court of Claims and of the argument of counsel thereupon had, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Earnest DeWar,

Petitioner,

648 vs.

Walter A. Hunter, Warden, United States Penitentiary, Leavenworth, Kansas.

ON CONSIDERATION of the motion to dispense with the printing of the record in this case,

IT IS ORDERED by this Court that the said motion be, and it is hereby, granted.

Per Mr. Chief Justice Vinson.

Earnest DeWar,

Petitioner,

648 vs.

Walter A. Hunter, Warden, United States Penitentiary, Leavenworth, Kansas.

On petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Tenth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mollie Eagle,

Petitioner,

406, Misc. vs.

Benjamin Cherney, et al.

A second petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Jake Bird,

Petitioner,

413, Misc. vs.

State of Washington.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Ralph O. Lucas,

Petitioner,

447, Misc. vs.

State of Texas.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

David L. Loughran,

Petitioner,

432, Misc. vs.

State of Maryland.

On petition for writ of certiorari to the Court of Appeals of the State of Maryland.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Court of Appeals of the State of Maryland, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Henry A. Culver, et al., Petitioners, vs. The Carter Oil Company, et al. — On petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit.

436, Misc.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Sixth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Louis Martinez, Petitioner, vs. People of the State of California. — On petition for writ of certiorari to the District Court of Appeal, First Appellate District, State of California.

454, Misc.

ON CONSIDERATION of the petition for a writ of certiorari herein to the District Court of Appeal, First Appellate District, State of California It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

R. W. Agnew, Petitioner, vs. People of the State of California. — On petition for writ of certiorari to the Supreme Court of the State of California.

480, Misc.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of California, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Custer M. Coyle,

Petitioner,

490, Misc. vs.

The People of the State of California.

On petition for writ of certiorari to the Supreme Court of the State of California.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of California, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Max Philip Couture,

Petitioner,

537, Misc. vs.

Tom Smith, Supt.

On petition for writ of certiorari to the Supreme Court of the State of Washington.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of Washington, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

John Elmo Morant,

Petitioner,

550, Misc. vs.

State of New York.

On petition for writ of certiorari to the Court of Appeals of the State of New York.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Court of Appeals of the State of New York, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Barney Franklin,
Petitioner,
554, Misc. vs.
Joseph E. Ragen, Warden.

On petition for writ of certiorari to the Criminal Court of Cook County of the State of Illinois.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Criminal Court of Cook County of the State of Illinois, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Leslie George Wakat,
Petitioner,
560, Misc. vs.
Joseph E. Ragen, Warden.

On petition for writ of certiorari to the Supreme Court of the State of Illinois.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of Illinois, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Bernet Twitty,
Petitioner,
565, Misc. vs.
State of Illinois.

On petition for writ of certiorari to the Supreme Court of the State of Illinois.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of Illinois, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Grady Crowley,

Petitioner,

566, Misc. vs.

Joseph E. Ragen, Warden.

On petition for writ of certiorari to the Supreme Court of the State of Illinois.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of Illinois, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Stephen G. Reeves,

Petitioner,

567, Misc. vs.

Joseph E. Ragen, Warden.

On petition for writ of certiorari to the Circuit Court of Iroquois County of the State of Illinois.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Circuit Court of Iroquois County of the State of Illinois, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Andrew Scott,

Petitioner,

568, Misc. vs.

Joseph E. Ragen, Warden.

On petition for writ of certiorari to the Criminal Court of Cook County of the State of Illinois.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Criminal Court of Cook County of the State of Illinois, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Walter Michael, Petitioner, vs. Joseph E. Ragen, Warden. 569, Misc. On petition for writ of certiorari to the Criminal Court of Cook County of the State of Illinois.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Criminal Court of Cook County of the State of Illinois, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Louis Lutz, Petitioner, vs. Joseph E. Ragen, Warden. 571, Misc. On petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Seventh Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Luther Terry, Petitioner, vs. Joseph E. Ragen, Warden. 572, Misc. On petition for writ of certiorari to the Criminal Court of Cook County of the State of Illinois.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Criminal Court of Cook County of the State of Illinois, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Frank Gambony,

Petitioner,

573, Misc. vs.

Joseph E. Ragen, Warden.

On petition for writ of certiorari to the Supreme Court of the State of Illinois.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of Illinois, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Frank Dzan,

Petitioner,

575, Misc. vs.

Joseph E. Ragen, Warden.

On petition for writ of certiorari to the Supreme Court of the State of Illinois.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of Illinois, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Jesse Hamilton, Jr.,

Petitioner,

577, Misc. vs.

Joseph E. Ragen, Warden.

On petition for writ of certiorari to the Circuit Court of Saline County and the Supreme Court of the State of Illinois.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Circuit Court of Saline County and the Supreme Court of the State of Illinois, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Harry Elmer Merrill,

Petitioner,

449, Misc. vs.

Tom Smith, Superintendent.

ON CONSIDERATION of the motion for leave to file a petition for writ of habeas corpus herein,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Cecil Swain,

Petitioner,

536, Misc. vs.

Clinton T. Duffy, Warden.

ON CONSIDERATION of the motion for leave to file a petition for writ of habeas corpus herein,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

John M. Canada,

Petitioner,

538, Misc. vs.

James M. Jones, Warden.

ON CONSIDERATION of the motion for leave to file a petition for writ of habeas corpus herein,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Howard Morse,

Petitioner,

545, Misc. vs.

Percy A. Lainson, Warden.

ON CONSIDERATION of the motion for leave to file a petition for writ of habeas corpus herein,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Barney Fredricksen,

Petitioner,

556, Misc. vs.

James M. Jones, Warden.

ON CONSIDERATION of the motion for leave to file a petition for writ of habeas corpus herein,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Dan Williams,

Petitioner,

579, Misc. vs.

Dr. Winfred Overholser, Supt.

ON CONSIDERATION of the motion for leave to file a petition for writ of habeas corpus herein,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Fred Tate,

Petitioner,

437, Misc. vs.

People of the State of California.

ON CONSIDERATION of the motion for leave to file a petition for writ of certiorari in this case,

IT IS ORDERED by this Court that the said motion be, and it is hereby, denied.

Per Mr. Chief Justice Vinson.

Robert G. Schuman,

Petitioner,

453, Misc. vs.

People of the State of California.

ON CONSIDERATION of the application submitted herein by Robert G. Schuman,

IT IS ORDERED by this Court that the said application be, and it is hereby, denied.

Per Mr. Chief Justice Vinson.

In the Matter of Sylvester Ellsworth Stinson,

487, Misc. Petitioner.

ON CONSIDERATION of the application submitted herein by Sylvester Ellsworth Stinson,

IT IS ORDERED by this Court that the said application be, and it is hereby, denied.

Per Mr. Chief Justice Vinson.

Tyree Holloway,

Petitioner,

551, Misc. vs.

Tom C. Clark, Attorney General.

ON CONSIDERATION of the motion for leave to file a petition for writ of mandamus herein,

IT IS ORDERED by this Court that the said motion be, and it is hereby, denied.

Per Mr. Chief Justice Vinson.

In the Matter of Electric Power & Light Corporation, Electric Bond & Share Company.

610, Misc.

ON CONSIDERATION of the petition of Jacob Sincoff, on behalf of himself individually and on behalf of the Sincoff Committee of holders of common stock of Electric Power & Light Corporation, and the petition of Christian A. Johnson, on behalf of himself and Cameron Biewend and the Biewend-Johnson Committee of holders of common stock of Electric Power & Light Corporation, for a stay of execution of a plan of dissolution of Electric Power & Light Corporation, etc.,

IT IS ORDERED by this Court that the said petitions for stay, be, and they are hereby, denied.

Per Mr. Chief Justice Vinson.

Dissenting memorandum by Mr. Justice Frankfurter in which Mr. Justice Murphy joins.

Mr. Justice Reed, Mr. Justice Douglas, and Mr. Justice Jackson took no part in the consideration or decision of these applications.

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ORDER

The Court will take a recess from today until Tuesday, May 31, from that day until Monday, June 6, from that day until Monday, June 13, and from that day until Monday, June 20, upon which day it will adjourn for the term unless otherwise ordered. No motions, except motions for admission to practice, will be received after the session next before the date fixed for adjournment of the term.

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In the Matter of Federal Security Administrator and the Attorney General,

597, Misc. Petitioners.

Argued on the petition and return to the rule to show cause by Mr. Robert L. Stern for the petitioners, by Mr. Walter M. Bastian for the respondents, and by Mr. Charles S. Rhyne for the Intervenor, Mytinger and Casselberry, Inc.

In the Matter of Federal Security Administrator and the Attorney General of the United States,

597, Misc. Petitioners.

On petition for writs of prohibition and/or mandamus.

THIS CAUSE came on to be heard on the petition for writs of prohibition and mandamus and the return to the rule to show cause why the petition should not be granted, and was argued by counsel.

ON CONSIDERATION WHEREOF, it is ordered by this Court that the petition for writs of prohibition and/or mandamus, be, and it is hereby, denied and the rule to show cause is discharged.

Per Mr. Chief Justice Vinson.

Dissenting: Mr. Justice Douglas.

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Proclamation being made the Court is adjourned until Tuesday, May 31, next, at 12 o'clock.

Pursuant to adjournment the Court met at the Supreme Court Building.

PRESENT:

The Honorable Fred M. Vinson, Chief Justice,
Hugo L. Black,
Stanley Reed,
Felix Frankfurter,
William O. Douglas,
Frank Murphy,
Robert H. Jackson,
Wiley Rutledge,
Harold H. Burton. Associate Justices.

Thomas Ennalls Waggaman, Esquire, Marshal,
Charles Elmore Cropley, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Henry F. Ashurst, It is ordered that Emmett Ray Feighner, Esquire, of Phoenix, State of Arizona, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. A. Devitt Vanech, It is ordered that Arthur F. Callahan, Esquire, of Washington, District of Columbia; Jerry T. Batts, Jr., Esquire, of Washington, District of Columbia; and Edward Stanley Sanders, Esquire, of San Antonio, State of Texas, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Solicitor General Philip B. Perlman, It is ordered that John T. Lindsey, Esquire, of Port Arthur, State of Texas, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. John J. Allen, Jr., It is ordered that David G. Kling, Esquire, of Los Angeles, State of California, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Henry P. Chandler, It is ordered that Louis A. Bowman, Esquire, of Chicago, State of Illinois, and Albert Langeluttig, Esquire, of Chicago, State of Illinois, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Mahlon D. Kiefer, It is ordered that Morris A. Shenker, Esquire, of Saint Louis, State of Missouri, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. William W. Arnold, It is ordered that Carl Edmunds Sheldon, Esquire, of Sterling, State of Illinois, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Joseph A. Cantrel, It is ordered that Joseph R. Shaughnessy, Esquire, of New York, State of New York, and Herbert A. Finneson, Esquire, of New York, State of New York, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Posey T. Kime, It is ordered that Winfield K. Denton, Esquire, of Evansville, State of Indiana, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Joseph Millenson, It is ordered that Gerard F. Treanor, Esquire, of Boston, Commonwealth of Massachusetts, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Herber C. Leney, It is ordered that Charles J. Klyde, Esquire, of New York, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Bryan L. Rakestraw, It is ordered that W. F. Morris, Esquire, of Anadarko, State of Oklahoma, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Pinckney T. McElwee, It is ordered that Howard J. Lowry, Esquire, of Arlington, Commonwealth of Virginia, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. James Elden McFarland, It is ordered that William H. West, Jr., Esquire, of New York, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. John Lord O'Brian, It is ordered that Harold L. Schilz, Esquire, of Washington, District of Columbia, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Delmar W. Holloman, It is ordered that Martin Morson, Esquire, of New York, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Carl J. Batter, It is ordered that Samuel M. Reiter, Esquire, of New York, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. John K. Carlock, It is ordered that Joseph Hilton Fisher, Esquire, of Brooklyn, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Edward J. Hayes, It is ordered that Theodore J. Rodgers, Esquire, of Detroit, State of Michigan, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Charles D. Hamel, It is ordered that Clarence P. Rothenburg, Esquire, of Washington, District of Columbia, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Irwin H. Linton, It is ordered that Joseph M. Ehlers, Esquire, of Washington, District of Columbia, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Sidney S. Sachs, It is ordered that John C. Poole, Esquire, of Washington, District of Columbia, and Dudley G. Skinker, Esquire, of Washington, District of Columbia, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Jacob Halper, It is ordered that Henry S. Snyder, Esquire, of Washington, District of Columbia, and Walter D. Newrath, Esquire, of Washington, District of Columbia, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Hugo V. Prucha, It is ordered that J. Edwin Fleming, Esquire, of Dallas, State of Texas, and J. Gregory Donohue, Esquire, of Pueblo, State of Colorado, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Melville Ehrlich, It is ordered that John F. McCarthy, Esquire, of Chicago, State of Illinois, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

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The United States, Petitioner, vs. Penn Foundry and Manufacturing Company, Inc. — On writ of certiorari to the Court of Claims.

253

THIS CAUSE came on to be heard on the transcript of the record from the Court of Claims and was argued by counsel.

ON CONSIDERATION WHEREOF, It is ordered and adjudged by this Court that the judgment of the said Court of Claims in this cause, be, and the same is hereby, reversed; and that this cause, be, and the same is hereby, remanded to the Court of Claims with direction to enter judgment in favor of the United States.

Per Mr. Justice Burton.

Mr. Justice Reed and Mr. Justice Jackson concur in the reversal and dissent from the order to enter judgment in favor of the United States.

Concurring opinion by Mr. Justice Douglas in which Mr. Justice Black, Mr. Justice Murphy, and Mr. Justice Rutledge join.

National Labor Relations Board, Petitioner, vs. Crompton-Highlands Mills, Inc. — On writ of certiorari to the United States Court of Appeals for the Fifth Circuit.

197

THIS CAUSE came on to be heard on the transcript of the record from the United States Court of Appeals for the Fifth Circuit, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is now here ordered and adjudged by this Court that the judgment of the said United States Court of Appeals, in this cause, be, and the same is hereby, reversed; and that this cause be, and the same is hereby, remanded to the said Court of Appeals for action consistent with the opinion of this Court.

Per Mr. Justice Burton.

Mr. Justice Douglas, Mr. Justice Murphy, and Mr. Justice Rutledge join in part I of the opinion, but think the Board's order should be enforced without modification.

William T. Erie,

Petitioner,

vs.

Guy A. Thompson, Trustee of the Missouri Pacific Railroad Company.

On writ of certiorari to the Supreme Court of the State of Missouri.

129

THIS CAUSE came on to be heard on the transcript of the record from the Supreme Court of the State of Missouri, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is ordered and adjudged by this Court that the judgment of the said Supreme Court, in this cause, be, and the same is hereby, reversed with costs; and that this cause, be, and the same is hereby, remanded to the said Supreme Court with instructions to reinstate the judgment on the verdict for petitioner.

Per Mr. Justice Rutledge.

Opinion by Mr. Justice Frankfurter concurring in part in which Mr. Justice Reed, Mr. Justice Jackson, and Mr. Justice Burton join.

Empresa Siderurgica, S. A., a Corporation of Colombia, South America, et al.,

Appellants,

vs.

County of Merced, a Municipal Corporation, J. Emmett McNamara, Assessor of the County of Merced, et al.

Appeal from the Supreme Court of the State of California.

327

THIS CAUSE came on to be heard on the transcript of the record from the Supreme Court of the State of California, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court, in this cause, be, and the same is hereby, affirmed with costs.

Per Mr. Justice Douglas.

Opinion by Mr. Justice Rutledge dissenting in part in which Mr. Justice Black and Mr. Justice Murphy join.

Mr. Justice Douglas joins in part I of Mr. Justice Rutledge's opinion.

Frank Hynes, Regional Director, Fish and Wildlife Service, Department of the Interior,

Petitioner,

vs.

Grimes Packing Co., Kadiak Fisheries Company, Libby, McNeill & Libby, et al.

On writ of certiorari to the United States Court of Appeals for the Ninth Circuit.

24

THIS CAUSE came on to be heard on the transcript of the record from the United States Court of Appeals for the Ninth Circuit, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is ordered, adjudged, and decreed by this Court that the decree of the United States District Court for the Territory of Alaska and the decree of the said Court of Appeals, in this cause, be, and the same are hereby, vacated; and that this cause, be, and the same is hereby, remanded to the said District Court with directions and for proceedings in conformity with the opinion of this Court.

Per Mr. Justice Reed.

Opinion by Mr. Justice Rutledge dissenting in part in which Mr. Justice Black and Mr. Justice Murphy join.

Mr. Justice Douglas joins in part I of Mr. Justice Rutledge's opinion.

George Smith,

Petitioner,

vs.

The United States of America.

On writ of certiorari to the United States Court of Appeals for the Second Circuit.

292

THIS CAUSE came on to be heard on the transcript of the record from the United States Court of Appeals for the Second Circuit, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is now here ordered and adjudged by this Court that the judgment of the said United States Court of Appeals, in this cause, be, and the same is hereby, reversed; and that this cause be, and the same is hereby, remanded to the United States District Court for the Southern District of New York for proceedings in conformity with the opinion of this Court.

Per Mr. Justice Reed.

Ex parte Joseph Collett, 206, Misc. Petitioner. On motion for leave to file petition for writs of mandamus and prohibition.

THIS CAUSE came on to be heard on motion for leave to file petition for writs of mandamus and prohibition and was argued by counsel.

ON CONSIDERATION WHEREOF, it is ordered by this Court that the said motion for leave to file be, and it is hereby, denied.

Per Mr. Chief Justice Vinson.

Opinion by Mr. Justice Rutledge concurring in the result.

Dissenting: Mr. Justice Black and Mr. Justice Douglas.

Jessie A. Kilpatrick, Petitioner, 233, Misc. vs. The Texas & Pacific Railway Co. On motion for leave to file petition for writ of mandamus or certiorari.

THIS CAUSE came on to be heard on motion for leave to file petition for writ of mandamus or certiorari and was argued by counsel.

ON CONSIDERATION WHEREOF, it is ordered by this Court that the said motion for leave to file be, and it is hereby, denied.

Per Mr. Chief Justice Vinson.

Opinion by Mr. Justice Rutledge concurring in the result.

Dissenting: Mr. Justice Black and Mr. Justice Douglas.

The United States of America, Petitioner, 269, Misc. vs. National City Lines, Inc., et al. On motion for leave to file petition for writ of certiorari to the United States District Court for the Southern District of California.

THIS CAUSE came on to be heard on motion for leave to file petition for writ of certiorari and was argued by counsel.

ON CONSIDERATION WHEREOF, it is ordered by this Court that the said motion for leave to file be, and it is hereby, denied.

Per Mr. Chief Justice Vinson.

Opinion by Mr. Justice Rutledge concurring in the result.

Dissenting opinion by Mr. Justice Douglas in which Mr. Justice Black joins.

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The Chief Justice announced the following orders of the Court:

State of Texas, State of Louisiana, Railroad Commission of Texas, et al., Appellants,
vs.
The United States of America, Interstate Commerce Commission.

754

Appeal from the United States District Court for the Western District of Oklahoma.

THIS CAUSE came on to be heard on the transcript of the record from the United States District Court for the Western District of Oklahoma, and on motion to affirm, which was duly submitted.

ON CONSIDERATION WHEREOF, It is ordered by this Court that the motion to affirm the judgment in this cause, be, and it is hereby, granted.

IT IS FURTHER ordered and adjudged that the judgment of the said District Court in this cause, be, and it is hereby, affirmed.

Per Mr. Chief Justice Vinson.

San Diego Electric Railway Company, Appellant,
vs.
State Board of Equalization of the State of California.

785

Appeal from the District Court of Appeal of the State of California, 3rd Appellate District.

THIS CAUSE came on to be heard on the transcript of the record from the District Court of Appeal of the State of California, 3rd Appellate District, and on motion to dismiss or affirm, which was duly submitted.

ON CONSIDERATION WHEREOF, It is now here ordered by this Court that the motion to dismiss the appeal herein be, and the same is hereby, granted.

IT IS FURTHER ORDERED that the appeal herein be, and the same is hereby, dismissed for the want of a substantial federal question.

Per Mr. Chief Justice Vinson.

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The Chief Justice said:

"The other orders of the Court appear upon the list certified by the Chief Justice and filed with the clerk and will not be announced orally."

Colgate-Palmolive-Peet Company, Order allowing certiorari.

Petitioner,

694 vs.

The National Labor Relations Board, et al.

The petition herein for a writ of certiorari to the United States Court of Appeals for the Ninth Circuit is granted, limited to the question of the construction of Section 8 (3) of the National Labor Relations Act of 1935 in relation to this case.

And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

Rosette Sorge Savorgnan, Order allowing certiorari.

Petitioner,

709 vs.

The United States of America, Tom C. Clark, The Attorney General of the United States of America, et al.

The petition herein for a writ of certiorari to the United States Court of Appeals for the Seventh Circuit is granted.

And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

Lawrence C. Kingsland, Commissioner of Patents, Order allowing certiorari.

Petitioner,

729 vs.

Vernon M. Dorsey.

The petition herein for a writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit is granted.

And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Albert Schiappi,

Petitioner,

654 vs.

West Virginia Liquor Control Commission, a Corporation.

On petition for writ of certiorari to the Supreme Court of Appeals of the State of West Virginia.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of Appeals of the State of West Virginia, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

The United States of America, ex rel. Anna Dorfler, George Dorfler, Christain Ehmann, et al.,

Petitioners,

655 vs.

W. Frank Watkins, as District Director of Immigration and Naturalization of the United States for the District of New York, etc.

On petition for writ of certiorari to the United States Court of Appeals for the Second Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Second Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

John Bundte and William Phillips,

Petitioners,

662 vs.

The People of the State of California.

On petition for writ of certiorari to the District Court of Appeal, 3rd Appellate District, State of California.

ON CONSIDERATION of the petition for a writ of certiorari herein to the District Court of Appeal, 3rd Appellate District, State of California, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Robert Moore, Richard McCoard, George Sherrad and Joe Pimentel,

Petitioners,

663 vs.

The People of the State of California.

On petition for writ of certiorari to the District Court of Appeal, 3rd Appellate District, State of California.

ON CONSIDERATION of the petition for a writ of certiorari herein to the District Court of Appeal, 3rd Appellate District, State of California, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Whiting Stoker Company,

Petitioner,

693 vs.

Chicago Stoker Corporation.

On petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Seventh Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Warehouse Union Local 6, International Longshoremen's and Warehouse Union (CIO),

Petitioner,

695 vs.

The National Labor Relations Board, et al.

On petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Ninth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Ira S. Mason, et al., Petitioners,
697 vs.
The Texas Company.

On petition for writ of certiorari to the United States Court of Appeals for the First Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the First Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Josephine G. Braun, Petitioner,
699 vs.
Morris W. Taub and Marie A. Taub.

On petition for writ of certiorari to the United States Court of Appeals for the Second Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Second Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Victor J. Veatch, Petitioner,
700 vs.
William Borthwick, Tax Commissioner of the Territory of Hawaii.

On petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Ninth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Anthony Linquata,
Petitioner,
704 vs.
The United States of America.

On petition for writ of certiorari to the United States Court of Appeals for the First Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the First Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

C. D. Shepherd, et al.,
Petitioners,
705 vs.
Obie Fauster Hunter, et al.

On petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Seventh Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Court Square Building, Inc.,
Petitioner,
706 vs.
The City of New York.

On petition for writ of certiorari to the Court of Appeals of the State of New York.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Court of Appeals of the State of New York, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

R. C. Glover, et al., Trustees Under the Will of Sarah E. Carrier, Deceased,

Petitioners,

710 vs.

J. W. Maloney, Collector of Internal Revenue for the District of Oregon.

On petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Ninth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

B. B. B. Construction Corporation,

Petitioner,

715 vs.

The Aetna Casualty and Surety Company.

On petition for writ of certiorari to the United States Court of Appeals for the Second Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Second Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

B. B. B. Construction Corporation,

Petitioner,

716 vs.

The Aetna Casualty and Surety Company.

On petition for writ of certiorari to the United States Court of Appeals for the Second Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Second Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Hamilton Foods, Inc.,
Petitioner,
717 vs.
The Atchison, Topeka and Santa Fe Railway Company, et al.

On petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Ninth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Lawrence E. Kelly, Administrator of the Estate of H. M. Kelly, Deceased, and Mollie Kelly,
Petitioners,
719 vs.
The Shamrock Oil and Gas Corporation.

On petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Fifth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Ed Thys and Albert M. Miller, Co-Partners Doing Business as Thys and Miller,
Petitioners,
720 vs.
The State of Washington.

On petition for writ of certiorari to the Supreme Court of the State of Washington.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of Washington, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Harry Francis,

Petitioner,

721 vs.

The United States of America.

On petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Seventh Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

John W. Frank, et al.,

Petitioners,

722 vs.

Wilson and Co., Inc.

On petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Seventh Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

John W. Frank, et al.,

Petitioners,

723 vs.

Wilson and Co., Inc.

On petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Seventh Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Ruby Jean Grannis and the Branch Banking and Trust Company, Fayetteville, North Carolina, et al.,

Petitioners,

726 vs.

The United States of America.

On petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Fourth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Maggie F. Anderson,

Petitioner,

730 vs.

W. P. Bowers, Individually and as Collector of Internal Revenue for the District of South Carolina.

On petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Fourth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Hugh Smith, Jr.,

Petitioner,

731 vs.

Commissioner of Internal Revenue.

On petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Sixth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

George M. Bechtel, Executor of the Will of Martha R. Bechtel, et al.,

Petitioners,

732 vs.

Ila Fay Thatcher, et al.

On petition for writ of certiorari to the Supreme Court of the State of Iowa.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of Iowa, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Charles H. Denny, et ux, Dorothy Mae Denny,

Petitioners,

738 vs.

The United States of America.

On petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Fifth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Richmond Screw Anchor Co., Inc.,

Petitioner,

745 vs.

Lawrence H. Umbach, et al.

On petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Seventh Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Gulf Oil Corporation,

Petitioner,

764 vs.

M/V "John A. Brown," Oriental Trade and Transport Company, Ltd.

On petition for writ of certiorari to the United States Court of Appeals for the Second Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Second Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Ewell Lee Danielly,

Petitioner,

807 vs.

The People of the State of California and the Supreme Court of the State of California.

On petition for writ of certiorari to the Supreme Court of the State of California.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of California, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Jessie A. Kilpatrick,

Petitioner,

275 vs.

The Texas and Pacific Railway Company.

On petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Fifth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

L. M. Parker,

Petitioner,

276 vs.

The Texas and Pacific Railway Company.

On petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Fifth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Ex parte Jessie A. Kilpatrick,

119, Misc. Petitioner.

ON CONSIDERATION of the motion for leave to file a petition for writ of prohibition herein,

IT IS ORDERED by this Court that the said motion be, and it is hereby, denied.

Per Mr. Chief Justice Vinson.

Ex parte L. M. Parker,

120, Misc. Petitioner.

ON CONSIDERATION of the motion for leave to file a petition for writ of prohibition herein,

IT IS ORDERED by this Court that the said motion be, and it is hereby, denied.

Per Mr. Chief Justice Vinson.

Dawn L. Allen,

Petitioner,

696 .vs.

William Stanley Litsinger and Elizabeth Knapp Litsinger.

ON CONSIDERATION of the motion to dispense with printing the record in this case,

IT IS ORDERED by this Court that the said motion be, and it is hereby, granted.

Per Mr. Chief Justice Vinson.

Dawn L. Allen,

Petitioner,

696 vs.

William Stanley Litsinger and Elizabeth Knapp Litsinger.

On petition for writ of certiorari to the Supreme Court of Appeals of the Commonwealth of Virginia.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of Appeals of the Commonwealth of Virginia, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Ib Chr Sonnesen,

Petitioner,

708 vs.

Panama Transport Company.

ON CONSIDERATION of the motion for leave to file brief of Friends of Andrew Furuseth Legislative Association as amicus curiae in this case,

IT IS ORDERED by this Court that the said motion be, and it is hereby, granted.

Per Mr. Chief Justice Vinson.

Ib Chr Sonnesen,

Petitioner,

708 vs.

Panama Transport Company.

On petition for writ of certiorari to the Court of Appeals of the State of New York.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Court of Appeals of the State of New York, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Gerhart Eisler,

Petitioner,

No. ____ vs.

The United States.

ON CONSIDERATION of the motion for an extension of time within which to file petition for a writ of certiorari to the Court of Appeals for the District of Columbia Circuit in this case,

IT IS ORDERED by this Court that the said motion be, and it is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Frankfurter joins in denying this motion because the Court is without jurisdiction over the person of the petitioner.

The United States,

Petitioner,

135 vs.

Alfred W. Jones, Receiver for Georgia & Florida Railroad; and

Alfred W. Jones, Receiver for Georgia & Florida Railroad,

Petitioner,

198 vs.

The United States.

A petition for rehearing having been filed in these cases,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Reed and Mr. Justice Jackson took no part in the consideration or decision of this application.

Excel Auto Radiator Company,

Petitioner,

162 vs.

The Bishop and Babcock Manufacturing Company.

ON CONSIDERATION of the motion for leave to file a second petition for rehearing in this case,

IT IS ORDERED by this Court that the said motion be, and it is hereby, denied.

Per Mr. Chief Justice Vinson.

The People of the State of California,

Petitioner,

355 vs.

Berl B. Zook and Wilmer K. Craig.

ON CONSIDERATION of the motion for leave to file a petition for rehearing and of the petition for rehearing in this case,

IT IS ORDERED by this Court that the said motion for leave to file be, and it is hereby, granted; and that the petition for rehearing be, and it is hereby, denied.

Per Mr. Chief Justice Vinson.

Laurie J. Carpenter,

Petitioner,

458 vs.

Rohm and Haas Co., Inc.

ON CONSIDERATION of the motion for leave to file a second petition for rehearing in this case,

IT IS ORDERED by this Court that the said motion be, and it is hereby, denied.

Per Mr. Chief Justice Vinson.

Harvey Stemmer,

Petitioner,

567 vs.

The People of the State of New York; and

David Krakower,

Petitioner,

568 vs.

The People of the State of New York.

A petition for rehearing having been filed in these cases,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Jackson took no part in the consideration or decision of this application.

Longyear Holding Company, Helen H. Bennett, C. M. Hill Lumber Company, et al.,

Appellants,

649 vs.

State of Minnesota.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Burton took no part in the consideration or decision of this application.

Defense Supplies Corporation and
Reconstruction Finance Corporation,

Petitioners,

298 vs.

Lawrence Warehouse Company, et al.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Baxter Griffin,

Petitioner,

417 vs.

The United States of America.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Frederick W. Wade,

Petitioner,

427 vs.

Walter A. Hunter, Warden, United States
Penitentiary, Leavenworth, Kansas.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Anna M. Fountain,

Petitioner,

542 vs.

Paul Filson and Anna F. Filson.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

People of the State of Illinois, ex rel.
Tony Marino,

Petitioner,

30, Misc. vs.

Joseph E. Ragen, Warden.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Wallace Phillips,

Petitioner,

483, Misc. vs.

Joseph E. Ragen, Warden.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

George B. Gann, Jr.,
Petitioner,
338, Misc. vs.
William H. Hiatt, Warden.

On petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Fifth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

William Richard Williams,
Petitioner,
380, Misc. vs.
The United States of America.

On petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Fifth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Anthony Adams,
Petitioner,
482, Misc. vs.
Joseph E. Ragen, Warden.

On petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Seventh Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

A. M. Cone,

Petitioner,

485, Misc. vs.

West Virginia Pulp and Paper Company.

On petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Fourth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Henry Keye,

Petitioner,

563, Misc. vs.

The People of the State of Illinois.

On petition for writ of certiorari to the Supreme Court of the State of Illinois.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of Illinois, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

In the Matter of Agnes E. Lewis, et al.,

589, Misc. Petitioners.

On petition for writ of certiorari to the Supreme Court of the State of Louisiana.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of Louisiana, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

In the Matter of Agnes E. Lewis, et al.,

589, Misc. Petitioner.

ON CONSIDERATION of the motion for leave to file a petition for writs of mandamus and prohibition in this cause,

IT IS ORDERED by this Court that the said motion be, and it is hereby, denied.

Per Mr. Chief Justice Vinson.

In the Matter of Charles M. Abernathy,

585, Misc. Petitioner.

ON CONSIDERATION of the motion for leave to file a petition for writ of habeas corpus herein,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

In the Matter of Eugen Steimle,

587, Misc. Petitioner.

Treating the application in this case as a motion for leave to file a petition for an original writ of habeas corpus, leave to file is denied.

Per Mr. Chief Justice Vinson.

The Chief Justice, Mr. Justice Reed, Mr. Justice Frankfurter, and Mr. Justice Burton are of the opinion that there is want of jurisdiction. United States Constitution, Article III, Section 2, Clause 2; see Ex parte Betz and companion cases, all 329 U. S. 672 (1946); Milch v. United States, 332 U. S. 789 (1947); Brandt v. United States, 333 U. S. 836 (1948); In re Michel, 333 U. S. 865 (1948); Everett v. Truman, 334 U. S. 824 (1948).

Mr. Justice Black, Mr. Justice Douglas, Mr. Justice Murphy, and Mr. Justice Rutledge are of the opinion that argument should be heard on the motion for leave to file the petition in order to settle what remedy, if any, the petitioner has.

Mr. Justice Jackson took no part in the consideration or decision of this application.

Edwin Tompsett,

Petitioner,

591, Misc. vs.

State of Ohio, et al.

ON CONSIDERATION of the motion for leave to file a petition for writ of habeas corpus herein,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

In the Matter of Harry Joseph Ryan,

592, Misc. Petitioner.

ON CONSIDERATION of the application submitted herein by Harry Joseph Ryan,

IT IS ORDERED by this Court that the said application be, and it is hereby, denied.

Per Mr. Chief Justice Vinson.

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Earnest DeWar,

Petitioner,

648 vs.

Walter A. Hunter, Warden, United States Penitentiary, Leavenworth, Kansas.

ON CONSIDERATION of the motion of counsel for the petitioner to extend the time within which to file a petition for rehearing in this case,

IT IS ORDERED that the time be, and it is hereby, extended to and including June 7, 1949.

Per Mr. Chief Justice Vinson.

James Zarichny,

Petitioner,

828 vs.

State Board of Agriculture, et al.

ON CONSIDERATION of the motion of counsel for the petitioner to extend the time for making service of the petition for writ of certiorari, brief, and record in this case,

IT IS ORDERED by this Court that the time be, and it is hereby, extended to a date which is not later than 10 days after the giving of notice by the Clerk of this Court to counsel for the petitioner that the printed record has been delivered to such Clerk.

Per Mr. Chief Justice Vinson.

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Proclamation being made the Court is adjourned until Monday, June 6, next, at 12 o'clock.

THURSDAY, JUNE 2, 1949.

PRESENT:

The Honorable Fred M. Vinson, Chief Justice,
Stanley Reed,
Felix Frankfurter,
William O. Douglas,
Frank Murphy,
Robert H. Jackson, Associate Justices.
Wiley Rutledge,
Harold H. Burton.

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Willie McGee,

Petitioner,

655, Misc. vs.

State of Mississippi.

ON CONSIDERATION of the petition for stay of execution of the sentence of death in this case,

IT IS ORDERED by this Court that the said petition be, and it is hereby, denied.

Per Mr. Chief Justice Vinson.

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MONDAY, [illegible] 9, 1940.

Pursuant to adjournment the Court met at the Supreme Court Building.

PRESENT:

The Honorable Fred M. Vinson, Chief Justice,
Hugo L. Black,
Stanley Reed,
Felix Frankfurter,
William O. Douglas,
Frank Murphy,
Wiley Rutledge,
Harold H. Burton. Associate Justices.

Thomas Ennalls Waggaman, Esquire, Marshal,
Charles Elmore Cropley, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Dwight L. Rogers, It is ordered that Jack O. Johnson, Esquire, of Belle Glade, State of Florida, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Solicitor General Philip B. Perlman, It is ordered that Samuel Pinn, Jr., Esquire, of Washington, District of Columbia; L. B. Cramer, Esquire, of Los Angeles, State of California; William C. Levy, Esquire, of New York, State of New York; and George H. Windsor, Esquire, of Greensboro, State of North Carolina, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. John W. Cragun, It is ordered that John F. Clagett, Esquire, of University Park, State of Maryland, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Homer Ferguson, It is ordered that Douglas G. Mode, Esquire, of Midland, State of Michigan, and Henry P. Onrich, Esquire, of Detroit, State of Michigan, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. U. Bon Teaslin, It is ordered that Warren Price, Jr., Esquire, of Washington, District of Columbia, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Reginald Carl Harmon, It is ordered that Charles I. Longacre, Esquire, of Los Angeles, State of California; Henry T. Dykman, Esquire, of Stamford, State of Connecticut; George F. Dillemuth, Esquire, of New York, State of New York; and Hampton R. Kenaston, Esquire, of Sioux City, State of Iowa, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. George A. Smathers, It is ordered that John D. Noble, Jr., Esquire, of Miami, State of Florida, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Jesse L. Brightwell, It is ordered that Evan L. Krogue, Esquire, of Arlington, Commonwealth of Virginia, and Olven McCammon Bowe, Esquire, of Indianapolis, State of Indiana, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. George Albert Wilkinson, It is ordered that Michael J. DeSantis, Esquire, of New York, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Clair L. Stout, It is ordered that William D. Mitchell, Esquire, of Washington, District of Columbia, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Isidore H. Wachtel, It is ordered that Abraham Kopald, Esquire, of Highland Falls, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Vincent Paul Russo, It is ordered that Maurice J. Walsh, Esquire, of Chicago, State of Illinois, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Robert Alan Green, It is ordered that Ernest A. Brackett, Esquire, of Utica, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. T. Peter Ansberry, It is ordered that Stephen J. McMahon, Jr., Esquire, of Philadelphia, Commonwealth of Pennsylvania, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Boris Kostelanetz, It is ordered that Samuel Rosenthal, Esquire, of Hartford, State of Connecticut, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Keith L. Seegmiller, It is ordered that Edward T. Mancuso, Esquire, of San Francisco, State of California, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. William M. Moroney, It is ordered that Kenneth Mitchell Johnson, Esquire, of San Francisco, State of California, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Felix S. Cohen, It is ordered that Louis L. Rochmes, Esquire, of Washington, District of Columbia, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Stanley M. Silverberg, It is ordered that Charles F. Luce, Esquire, of Walla Walla, State of Washington, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

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Federal Communications Commission,
Petitioner,
vs.
WJR, The Goodwill Station, Inc., and Coastal Plains Broadcasting Co., Inc.

On writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit.

495

THIS CAUSE came on to be heard on the transcript of the record from the United States Court of Appeals for the District of Columbia Circuit, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is now here ordered and adjudged by this Court that the judgment of the said United States Court of Appeals, in this cause, be, and the same is hereby, reversed; and that this cause be, and the same is hereby, remanded to the Court of Appeals for further proceedings in conformity with the opinion of this Court.

Per Mr. Justice Rutledge.

Mr. Justice Murphy took no part in the consideration or decision of this case.

City of Morgantown, West Virginia, a Municipal Corporation,
Petitioner,
vs.
Royal Insurance Company, Limited.

On writ of certiorari to the United States Court of Appeals for the Fourth Circuit.

396

THIS CAUSE came on to be heard on the transcript of the record from the United States Court of Appeals for the Fourth Circuit, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is now here ordered and adjudged by this Court that the judgment of the said United States Court of Appeals, in this cause, be, and the same is hereby, affirmed with costs; and that this cause be, and the same is hereby, remanded to the United States District Court for the Northern District of West Virginia.

Per Mr. Justice Murphy.

Concurring opinion by Mr. Justice Frankfurter.

Dissenting opinion by Mr. Justice Black in which Mr. Justice Rutledge concurs.

Samuel Titto Williams, Appellant, vs. The People of the State of New York. — Appeal from the Court of Appeals of the State of New York.

671

THIS CAUSE came on to be heard on the transcript of the record from the Court of Appeals of the State of New York, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is now here ordered and adjudged by this Court that the judgment of the said Court of Appeals in this cause, be, and the same is hereby, affirmed with costs.

Per Mr. Justice Black.

Dissenting: Mr. Justice Rutledge.

Dissenting opinion by Mr. Justice Murphy.

Jack O'Lee Young, Petitioner, vs. Joseph E. Ragen, Warden, Illinois State Penitentiary, Joliet, Illinois. — On writ of certiorari to the Circuit Court of Randolph County, State of Illinois.

50

THIS CAUSE came on to be heard on the transcript of the record from the Circuit Court of Randolph County, State of Illinois, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is ordered by this Court that the order of the said Circuit Court, denying a petition for writ of habeas corpus, in this cause, be, and the same is hereby, vacated.

IT IS FURTHER ORDERED that this cause be, and the same is hereby, remanded to the said Circuit Court for consideration of the present applicability of habeas corpus in the light of the Illinois Supreme Court's "announcement" in People v. Loftus, 400 Ill. 432 and other relevant Illinois decisions.

Per Mr. Chief Justice Vinson.

Charles Evans, Petitioner, vs. Walter Nierstheimer, Warden, Illinois State Penitentiary, Menard, Illinois.

47, Misc.

On petition for writ of certiorari to the Circuit Court of St. Clair County, State of Illinois.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, granted.

Per Mr. Chief Justice Vinson.

Charles Evans, Petitioner, vs. Walter Nierstheimer, Warden, Illinois State Penitentiary, Menard, Illinois.

47, Misc.

On writ of certiorari to the Circuit Court of St. Clair County, State of Illinois.

THIS CAUSE came on to be heard on the transcript of the record from the Circuit Court of St. Clair County, State of Illinois, and was duly submitted.

ON CONSIDERATION WHEREOF, It is ordered by this Court that the order of the said Circuit Court, denying a petition for writ of habeas corpus, in this cause, be, and the same is hereby, vacated.

IT IS FURTHER ORDERED that this cause be, and the same is hereby, remanded to the said Circuit Court for consideration of the present applicability of habeas corpus in the light of the Illinois Supreme Court's "announcement" in People vs. Loftus, 400 Ill. 432 and other relevant Illinois decisions.

Per Mr. Chief Justice Vinson.

Ivan Willis, Petitioner, vs. Joseph E. Ragen, Warden, Illinois State Penitentiary, Joliet, Illinois.

106, Misc.

On petition for writ of certiorari to the Criminal Court of Cook County, State of Illinois.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, granted.

Per Mr. Chief Justice Vinson.

Ivan Willis, Petitioner, vs. Joseph E. Ragen, Warden, Illinois State Penitentiary, Joliet, Illinois.

106, Misc.

On writ of certiorari to the Criminal Court of Cook County, State of Illinois.

THIS CAUSE came on to be heard on the petition for writ of certiorari to the Criminal Court of Cook County, State of Illinois, and was duly submitted.

ON CONSIDERATION WHEREOF, It is ordered by this Court that the order of the said Criminal Court of Cook County, dismissing a petition for writ of habeas corpus, in this cause, be, and the same is hereby, vacated.

IT IS FURTHER ORDERED that this cause be, and the same is hereby, remanded to the said Criminal Court of Cook County for consideration of the present applicability of habeas corpus in the light of the Illinois Supreme Court's "announcement" in People vs. Loftus, 400 Ill. 432 and other relevant Illinois decisions.

Per Mr. Chief Justice Vinson.

Ferdinand Thompson, Petitioner, vs. Joseph E. Ragen, Warden, Illinois State Penitentiary, Joliet, Illinois.

109, Misc.

On petition for writ of certiorari to the Criminal Court of Cook County, State of Illinois.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, granted.

Per Mr. Chief Justice Vinson.

Ferdinand Thompson, Petitioner, vs. Joseph E. Ragen, Warden, Illinois State Penitentiary, Joliet, Illinois.

109, Misc.

On writ of certiorari to the Criminal Court of Cook County, State of Illinois.

THIS CAUSE came on to be heard on the petition for writ of certiorari to the Criminal Court of Cook County, State of Illinois, and was duly submitted.

ON CONSIDERATION WHEREOF, It is ordered by this Court that the order of the said Criminal Court of Cook County denying a petition for writ of habeas corpus, in this cause, be, and the same is hereby, vacated.

IT IS FURTHER ORDERED that this cause be, and the same is hereby, remanded to the said Criminal Court of Cook County for consideration of the present applicability of habeas corpus in the light of the Illinois Supreme Court's "announcement" in People vs. Loftus, 400 Ill. 432 and other relevant Illinois decisions.

Per Mr. Chief Justice Vinson.

Willie Lewis,

Petitioner,

184, Misc. vs.

Joseph E. Ragen, Warden, Illinois State Penitentiary, Joliet, Illinois.

On petition for writ of certiorari to the Criminal Court of Cook County, State of Illinois.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, granted.

Per Mr. Chief Justice Vinson.

Willie Lewis,

Petitioner,

184, Misc. vs.

Joseph E. Ragen, Warden, Illinois State Penitentiary, Joliet, Illinois.

On writ of certiorari to the Criminal Court of Cook County, State of Illinois.

THIS CAUSE came on to be heard on the petition for writ of certiorari to the Criminal Court of Cook County, State of Illinois, and was duly submitted.

ON CONSIDERATION WHEREOF, It is ordered by this Court that the order of the said Criminal Court of Cook County, denying a petition for writ of habeas corpus, in this cause, be, and the same is hereby, vacated.

IT IS FURTHER ORDERED that this cause be, and the same is hereby, remanded to the said Criminal Court of Cook County for consideration of the present applicability of habeas corpus in the light of the Illinois Supreme Court's "announcement" in People vs. Loftus, 400 Ill. 432 and other relevant Illinois decisions.

Per Mr. Chief Justice Vinson.

Julius Bernard Sherman,

Petitioner,

372, Misc. vs.

Joseph E. Ragen, Warden, Illinois State Penitentiary, Joliet, Illinois.

On petition for writ of certiorari to the Criminal Court of Cook County, State of Illinois.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, granted.

Per Mr. Chief Justice Vinson.

Julius Bernard Sherman,

Petitioner,

372, Misc. vs.

Joseph E. Ragen, Warden, Illinois State Penitentiary, Joliet, Illinois.

On writ of certiorari to the Criminal Court of Cook County, State of Illinois.

THIS CAUSE came on to be heard on the petition for writ of certiorari to the Criminal Court of Cook County, State of Illinois, and was duly submitted.

ON CONSIDERATION WHEREOF, It is ordered by this Court that the order of the said Criminal Court of Cook County denying a petition for writ of habeas corpus, in this cause, be, and the same is hereby, vacated.

IT IS FURTHER ORDERED that this cause be, and the same is hereby, remanded to the said Criminal Court of Cook County for consideration of the present applicability of habeas corpus in the light of the Illinois Supreme Court's "announcement" in People vs. Loftus, 400 Ill. 432 and other relevant Illinois decisions.

Per Mr. Chief Justice Vinson.

Fred Banks, Petitioner, vs. Joseph E. Ragen, Warden, Illinois State Penitentiary, Joliet, Illinois.

On petition for writ of certiorari to the Circuit Court of Will County, State of Illinois.

374, Misc.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, granted.

Per Mr. Chief Justice Vinson.

Fred Banks, Petitioner, vs. Joseph E. Ragen, Warden, Illinois State Penitentiary, Joliet, Illinois.

On writ of certiorari to the Circuit Court of Will County, State of Illinois.

374, Misc.

THIS CAUSE came on to be heard on the petition for writ of certiorari to the Circuit Court of Will County, State of Illinois, and was duly submitted.

ON CONSIDERATION WHEREOF, It is ordered by this Court that the order of the said Circuit Court of Will County denying a petition for writ of habeas corpus, in this cause, be, and the same is hereby, vacated.

IT IS FURTHER ORDERED that this cause be, and the same is hereby, remanded to the said Circuit Court of Will County for consideration of the present applicability of habeas corpus in the light of the Illinois Supreme Court's "announcement" in People vs. Loftus, 400 Ill. 432 and other relevant Illinois decisions.

Per Mr. Chief Justice Vinson.

Harley F. Smith,

Petitioner,

265, Misc. vs.

Joseph E. Ragen, Warden, Illinois State Penitentiary, Joliet, Illinois.

On writ of certiorari to the Circuit Court of Will County, State of Illinois.

THIS COURT having granted a petition for certiorari May 2, 1949 and transferred the case to the appellate docket as No. 760, the case came on to be heard on the transcript of record and was duly submitted.

ON CONSIDERATION WHEREOF, It is ordered by this Court that the order of the said Circuit Court of Will County, State of Illinois, denying a petition for writ of habeas corpus, in this cause, be, and the same is hereby, vacated.

IT IS FURTHER ORDERED that this cause be, and the same is hereby, remanded to the said Circuit Court of Will County for consideration of the present applicability of habeas corpus in the light of the Illinois Supreme Court's "announcement" in People vs. Loftus, 400 Ill. 432 and other relevant Illinois decisions.

Per Mr. Chief Justice Vinson.

The Chief Justice announced the following orders of the Court:

Sydney A. Taber,

Appellant,

786 vs.

State Board of Registration and Examination in Dentistry of New Jersey.

Appeal from the Supreme Court of the State of New Jersey.

THIS CAUSE came on to be heard on the transcript of the record from the Supreme Court of the State of New Jersey, and on motion to dismiss or affirm, which was duly submitted.

ON CONSIDERATION WHEREOF, It is now here ordered by this Court that the motion to dismiss the appeal herein be, and the same is hereby, granted.

IT IS FURTHER ORDERED that the appeal herein be, and the same is hereby, dismissed for the want of a substantial federal question.

Per Mr. Chief Justice Vinson.

Mary V. Doles,

Appellant,

805 vs.

Metropolitan Life Insurance Company.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, granted.

Per Mr. Chief Justice Vinson.

Mary V. Doles, Appellant, Appeal from the Supreme Court of the State of Arkansas.

805 vs.

Metropolitan Life Insurance Company.

THIS CAUSE came on to be heard on the transcript of the record from the Supreme Court of the State of Arkansas, and on motion to dismiss, which was duly submitted.

ON CONSIDERATION WHEREOF, It is now here ordered by this Court that the motion to dismiss the appeal herein be, and the same is hereby, granted.

IT IS FURTHER ORDERED that the appeal herein be, and the same is hereby, dismissed for the want of jurisdiction.

Per Mr. Chief Justice Vinson.

Mary V. Doles, Appellant, Appeal from the Supreme Court of the State of Arkansas.

805 vs.

Metropolitan Life Insurance Company.

TREATING the appeal papers herein from the Supreme Court of the State of Arkansas as an application for a writ of certiorari;

ON CONSIDERATION WHEREOF, It is ordered by this Court that the said application for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

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The Chief Justice said:

"The other orders of the Court appear upon the list certified by the Chief Justice and filed with the clerk and will not be announced orally."

George W. Solesbee,

Appellant,

806 vs.

R. P. Balkcom, Jr., Warden of the State Penitentiary, Tattnall, Georgia.

The statement of jurisdiction in this case having been submitted and considered by the Court, probable jurisdiction is noted.

Per Mr. Chief Justice Vinson.

George W. Solesbee,

Appellant,

806 vs.

R. P. Balkcom, Jr., Warden of the State Penitentiary, Tattnall, Georgia.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, granted.

Per Mr. Chief Justice Vinson.

Alexander Boyd, Order allowing certiorari.

Petitioner,

486 vs.

Grand Trunk Western Railroad Company.

The petition herein for a writ of certiorari to the Supreme Court of the State of Michigan is granted.

And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

Pete Darr, Petitioner, Order allowing certiorari.

713 vs.

C. P. Burford, Warden, Oklahoma State Penitentiary.

The petition herein for a writ of certiorari to the United States Court of Appeals for the Tenth Circuit is granted.

And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

Manufacturers Trust Company, as Trustee Under an Indenture Made by the Debtor Under Date of September 27, 1933, and Individually, Petitioner, Order allowing certiorari.

742 vs.

Regine Becker, et al.

The petition herein for a writ of certiorari to the United States Court of Appeals for the Second Circuit is granted.

And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

Roy Creel, et al., Petitioners, Order allowing certiorari.

746 vs.

Lone Star Defense Corporation.

The petition herein for a writ of certiorari to the United States Court of Appeals for the Fifth Circuit is granted.

And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

Reo Motors, Inc., Order allowing certiorari.

Petitioner,

751 vs.

Commissioner of Internal Revenue.

The petition herein for a writ of certiorari to the United States Court of Appeals for the Sixth Circuit is granted.

And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

Commissioner of Internal Revenue, Order allowing certiorari.

Petitioner,

744 vs.

William I. Connelly and Bertha Connelly.

The petition herein for a writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit is granted. The case is transferred to the summary docket.

And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

Markos Vlavianos, et al., On petition for writ of certiorari

Petitioners, to the United States Court of

672 vs. Appeals for the Fourth Circuit.

S. S. Cypress and Maryland Drydock Company, et al.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Fourth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

The Maryland Drydock Company, Petitioner, vs. Markos Vlavianos, et al. 752

On petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Fourth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Waterman Steamship Corporation, Petitioner, vs. James Dean, George Cicic, Alfred J. Wayne, et al. 674

On petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Fourth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

James Dean, George Cicic, Alfred J. Wayne, et al., Petitioners, vs. Waterman Steamship Corporation. 753

On petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Fourth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Gerald F. Cobleigh and Slawsby Real Estate Co., Inc.,

Petitioners,

701 vs.

Tighe E. Woods, Housing Expediter, Office of the Housing Expediter.

On petition for writ of certiorari to the United States Court of Appeals for the First Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the First Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Kohinoor Coal Company,

Petitioner,

724 vs.

Commissioner of Internal Revenue.

On petition for writ of certiorari to the United States Court of Appeals for the Third Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Third Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Ely A. Todorow and Leonard A. Potolski,

Petitioners,

727 vs.

The United States of America.

On petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Ninth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

David Rae Peterson,
Petitioner,
734 vs.
The United States of America.

On petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Sixth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Peter Miznik,
Petitioner,
735 vs.
The United States of America.

On petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Sixth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Raymond Comodor,
Petitioner,
736 vs.
The United States of America.

On petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Sixth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Taze Hamrick Gibson, Petitioner,
737 vs.
A. P. Reynolds, E. H. Mellor, et al.

On petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Eighth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Anna M. Tibbals and John J. Spriggs, Petitioners,
740 vs.
Mica Mountain Mines, Inc., et al.

On petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Tenth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Standard Brands Incorporated and Campbell Soup Company, Successor Thereto and Intervening Plaintiff, Petitioners,
747 vs.
Eastern Shore Canning Company, Incorporated.

On petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Fourth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

The Grayson Shops Incorporated (of California), Name Changed to Grayson-Robinson Stores, Inc.,

Petitioner,

765 vs.

Herbert D. Stone.

On petition for writ of certiorari to the United States Court of Appeals for the Second Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Second Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Frederic Henry,

Petitioner,

598 vs.

Lt. General Walter Bedell Smith, Commanding General, First Army, Fort Jay, New York.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

LeRoy J. Leishman,

Petitioner,

612 vs.

The Richards and Conover Company.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

The Chesapeake and Ohio Railway Company,

Petitioner,

638 vs.

Gilmer S. Morris.

ON CONSIDERATION of the motion of the American Train Dispatchers Association for leave to file brief as amicus curiae in this case,

IT IS ORDERED by this Court that the said motion be, and it is hereby, granted.

Per Mr. Chief Justice Vinson.

The Chesapeake and Ohio Railway Company,

Petitioner,

638 vs.

Gilmer S. Morris.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

R. W. Agnew,

Petitioner,

480, Misc. vs.

People of the State of California.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Daisy D. Wilson,

Petitioner,

539, Misc. vs.

Ralph S. Hinman, et al.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

J. B. Chadwick,

Petitioner,

305, Misc. vs.

The United States of America.

On petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Fifth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Brainard C. Butler,

Petitioner,

378, Misc. vs.

Donald C. Clemmer.

On petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the District of Columbia Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

John C. Todd, Petitioner,
vs.
Phyllis C. Todd.

478, Misc.

On petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the District of Columbia Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Maude Pridgen Butler, Petitioner,
vs.
S. A. Penix, Receiver.

489, Misc.

On petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Fifth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Kathryn B. Cohen, Petitioner,
vs.
James E. (Bill) Decker, et al.

558, Misc.

On petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Fifth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Ralph O. Lucas, Petitioner, vs. H. E. Moore, Warden. — On petition for writ of certiorari to the Court of Criminal Appeals of the State of Texas.

562, Misc.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Court of Criminal Appeals of the State of Texas, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Chester L. Mohler, Petitioner, vs. Tom Smith, Supt. — On petition for writ of certiorari to the Supreme Court of the State of Washington.

564, Misc.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of Washington, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

James Albert D'Ostroph, Petitioner, vs. The United States Court of Appeals for the Eighth Circuit. — On petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit.

580, Misc.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Eighth Circuit, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Joseph Binskowski,
Petitioner,
593, Misc. vs.
Joseph E. Ragen, Warden.

On petition for writ of certiorari to the Criminal Court of Cook County of the State of Illinois.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Criminal Court of Cook County of the State of Illinois, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

John Cordts,
Petitioner,
594, Misc. vs.
People of the State of Illinois.

On petition for writ of certiorari to the Circuit Court of St. Clair County of the State of Illinois.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Circuit Court of St. Clair County of the State of Illinois, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

John W. Adams,
Petitioner,
595, Misc. vs.
Walter Nierstheimer, Warden.

On petition for writ of certiorari to the Supreme Court of the State of Illinois.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of Illinois, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Jesse Cantoo,

Petitioner,

603, Misc. vs.

Joseph E. Ragen, Warden.

On petition for writ of certiorari to the Circuit Court of Rock Island County of the State of Illinois.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Circuit Court of Rock Island County of the State of Illinois, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Cuono Messina,

Petitioner,

624, Misc. vs.

Joseph E. Ragen, Warden.

On petition for writ of certiorari to the Circuit Court of Will County of the State of Illinois.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Circuit Court of Will County of the State of Illinois, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Esther J. Sauerwine,

Petitioner,

535, Misc. vs.

The New York, Chicago, and St. Louis Railroad Co.

ON CONSIDERATION of the motion for leave to file a petition for writs of certiorari, prohibition or mandamus herein,

IT IS ORDERED by this Court that the said motion be, and it is hereby, denied.

Per Mr. Chief Justice Vinson.

William Mezick,

Petitioner,

570, Misc. vs.

J. Leroy Wright, Warden.

ON CONSIDERATION of the motion for leave to file a petition for writ of habeas corpus herein,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Albert Volkmann,

Petitioner,

602, Misc. vs.

Joseph E. Ragen, Warden.

ON CONSIDERATION of the motion for leave to file a petition for writ of habeas corpus herein,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

James Hall,

Petitioner,

604, Misc. vs.

Joseph E. Ragen, Warden.

ON CONSIDERATION of the motion for leave to file a petition for writ of habeas corpus herein,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

George Foley,

Petitioner,

617, Misc. vs.

Joseph E. Ragen, Warden.

ON CONSIDERATION of the motion for leave to file a petition for writ of habeas corpus herein,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

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The United States,

Petitioner,

253 vs.

Penn Foundry and Manufacturing Company, Inc.

ON CONSIDERATION of the motion of counsel for the respondent to extend the time for filing a petition for rehearing in this case,

IT IS ORDERED by this Court that the said motion be, and it is hereby, granted and the time is extended to and including July 1, 1949.

Per Mr. Chief Justice Vinson.

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Proclamation being made the Court is adjourned until Monday, June 13, next, at 12 o'clock.

Pursuant to adjournment the Court met at the Supreme Court Building.

PRESENT:

The Honorable Fred M. Vinson, Chief Justice,
Hugo L. Black,
Stanley Reed,
Felix Frankfurter,
William O. Douglas,
Robert H. Jackson,
Wiley Rutledge,
Harold H. Burton. Associate Justices.

Thomas Ennalls Waggaman, Esquire, Marshal,

Charles Elmore Cropley, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Edgar A. Jonas, It is ordered that William Otis Morris, Jr., Esquire, of Champaign, State of Illinois, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Wayne Lyman Morse, It is ordered that Edwin M. Lewis, Esquire, of Portland, State of Oregon, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Jesse P. Wolcott, It is ordered that Gordon E. Tappan, Esquire, of Chicago, State of Illinois, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Henry P. Chandler, It is ordered that John E. Walker, Esquire, of Lansing, State of Illinois, and Edwin P. Pifielski, Esquire, of Chicago, State of Illinois, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. E. D. Millikin, It is ordered that Arthur Maxwell Morris, Esquire, of Denver, State of Colorado, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Vincent Paul Russo, It is ordered that William L. Dawson, Esquire, of Chicago, State of Illinois; Barratt O'Hara, Esquire, of Chicago, State of Illinois; Martin Gorski, Esquire, of Chicago, State of Illinois; Sidney Richard Yates, Esquire of Chicago, State of Illinois; and Thomas A. Kennedy, Esquire, of Chicago, State of Illinois, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. John Boyle, Jr., It is ordered that W. Eugene King, Esquire, of Houston, State of Texas, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Louis Ottenberg, It is ordered that Alexander A. Mayper, Esquire, of New York, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Abraham E. Freedman, It is ordered that R. Arthur Jett, Esquire, of Norfolk, Commonwealth of Virginia, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Bruce H. Johnson, It is ordered that William R. Hunter, Esquire, of Winchester, State of Indiana, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Dean Pritchard Kimball, It is ordered that Paul J. Buckley, Esquire, of Dayton, State of Ohio, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Lawrence C. Kingsland, It is ordered that Malcolm W. Martin, Esquire, of Saint Louis, State of Missouri, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Irwin William Silverman, It is ordered that Philip B. Heller, Esquire, of Chicago, State of Illinois, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Hugh Lynch, Jr., It is ordered that Thomas G. Andrew, Esquire, of Baltimore, State of Maryland, and Talbot W. Banks, Esquire, of Baltimore, State of Maryland, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Chas. H. Elston, It is ordered that Robert Emmett Brooks, Esquire, of Cincinnati, State of Ohio; Louis C. Capello, Esquire, of Cincinnati, State of Ohio; and Andrew O. Haefner, Esquire, of Cincinnati, State of Ohio, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Frederick Bernays Wiener, It is ordered that Joseph J. Lyman, Esquire, of Washington, District of Columbia, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Walter R. Johnson, It is ordered that J. A. Amis, Jr., Esquire, of Emory, State of Texas, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Ephraim Jacobs, It is ordered that Hyman D. Lehrich, Esquire, of New York, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Ashley Sellers, It is ordered that Tom K. Eplen, Esquire, of Abilene, State of Texas, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. John Ambrose Tyson, It is ordered that Hugh Gwynn Postles, Esquire, of Arlington, Commonwealth of Virginia, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. A. Rea Williams, It is ordered that Franklin B. Stevens, Esquire, of Duluth, State of Minnesota, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. James S. Y. Ivins, It is ordered that Augustus M. Henry, Esquire, of Brooklyn, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. John J. Darby, It is ordered that John Henry Schneider, Esquire, of Troy, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Seymour S. Guthman, It is ordered that David Cramer, Esquire, of Litchfield, State of Connecticut, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Julian G. Hearne, Jr., It is ordered that Gerald J. Greeve, Esquire, of Philadelphia, Commonwealth of Pennsylvania, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Walter E. Gallagher, It is ordered that John T. Metcalf, Esquire, of Louisville, Commonwealth of Kentucky, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Edgar E. Witt, It is ordered that O. F. Jones, Jr., Esquire, of Waco, State of Texas, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Louis M. Denit, It is ordered that A. Leckie Cox, Esquire, of Washington, District of Columbia, and Thomas Searing Jackson, Esquire, of Washington, District of Columbia, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Michael Mitchell Gould, It is ordered that Samuel W. Leib, Esquire, of Detroit, State of Michigan, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Bryan L. Rakestraw, It is ordered that Ralph H. Schaller, Esquire, of Oklahoma City, State of Oklahoma, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Joseph Perer, It is ordered that Robert J. Silberstein, Esquire, of Washington, District of Columbia, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Stephen J. Angland, It is ordered that Joseph A. Maun, Esquire, of Saint Paul, State of Minnesota, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Samuel W. McIntosh, It is ordered that David S. Smith, Esquire, of Los Angeles, State of California, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Milton I. Baldinger, It is ordered that Jeanette Rod, of Washington, District of Columbia, be admitted to practice as an Attorney and Counsellor of this Court, and she was sworn accordingly. (Miss)

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The United States of America, Petitioner,

473 vs.

Reginald P. Wittek.

On writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit.

THIS CAUSE came on to be heard on the transcript of the record from the United States Court of Appeals for the District of Columbia Circuit, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is now here ordered and adjudged by this Court that the judgment of the said United States Court of Appeals, in this cause, be, and the same is hereby, reversed; and that this cause be, and the same is hereby, remanded to the said Court of Appeals for further proceedings consistent with the opinion of this Court.

Per Mr. Justice Burton.

Commissioner of Internal Revenue, Petitioner,

84 vs.

Polham G. Wodehouse.

On writ of certiorari to the United States Court of Appeals for the Fourth Circuit.

THIS CAUSE came on to be heard on the transcript of the record from the United States Court of Appeals for the Fourth Circuit, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is now here ordered and adjudged by this Court that the judgment of the said United States Court of Appeals, in this cause, be, and the same is hereby, reversed; and that this cause be, and the same is hereby remanded to the said Court of Appeals for further proceedings consistent with the opinion of this Court.

Per Mr. Justice Burton.

Mr. Justice Douglas took no part in the consideration or decision of this case.

Dissenting opinion by Mr. Justice Frankfurter in which Mr. Justice Murphy and Mr. Justice Jackson join.

The United States, Petitioner, vs. Richard S. Cors. — On writ of certiorari to the Court of Claims.

132

THIS CAUSE came on to be heard on the transcript of the record from the Court of Claims, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is ordered and adjudged by this Court that the judgment of the said Court of Claims in this cause, be, and the same is hereby, reversed; and that this cause, be, and the same is hereby, remanded for proceedings in conformity with the opinion of this Court.

Per Mr. Justice Douglas.

Dissenting: Mr. Chief Justice Vinson.

Dissenting opinion by Mr. Justice Frankfurter in which Mr. Justice Jackson and Mr. Justice Burton join.

Joy Oil Company, Ltd., Petitioner, vs. State Tax Commission. — On writ of certiorari to the Supreme Court of the State of Michigan.

223

THIS CAUSE came on to be heard on the transcript of the record from the Supreme Court of the State of Michigan, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is ordered and adjudged by this Court that the judgment of the said Supreme Court, in this cause, be, and the same is hereby, affirmed with costs.

Per Mr. Justice Frankfurter.

Dissenting opinion by Mr. Chief Justice Vinson in which Mr. Justice Douglas and Mr. Justice Jackson join.

Standard Oil Company of California and Standard Stations, Inc.,

Appellants,

279 vs.

The United States of America.

Appeal from the United States District Court for the Southern District of California.

THIS CAUSE came on to be heard on the transcript of the record from the United States District Court for the Southern District of California, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is ordered, adjudged, and decreed by this Court that the decree of the said District Court in this cause be, and the same is hereby, affirmed.

Per Mr. Justice Frankfurter.

Dissenting opinion by Mr. Justice Jackson in which Mr. Chief Justice Vinson and Mr. Justice Burton join.

Separate opinion by Mr. Justice Douglas.

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The Chief Justice said:

"The orders of the Court appear upon the list certified by the Chief Justice and filed with the clerk and will not be announced orally."

The United States,

Petitioner,

26 vs.

Kansas City Life Insurance Company.

This case is ordered restored to the docket for reargument.

Per Mr. Chief Justice Vinson.

The United States,

Petitioner,

299 vs.

Gerlach Live Stock Company;

The United States,

Petitioner,

300 vs.

J. Sheldon Potter;

The United States,

Petitioner,

301 vs.

Martin Erreca;

The United States,

Petitioner,

302 vs.

James J. Stevinson (a Corporation);

The United States,

Petitioner,

303 vs.

Archibald J. Stevinson; and

The United States,

Petitioner,

304 vs.

3-H Securities Company.

These cases are ordered restored to the docket for reargument and assigned for hearing immediately following case No. 26.

Per Mr. Chief Justice Vinson.

Black Diamond Steamship Corp.,

Petitioner,

121 vs.

Robert Stewart & Sons, Ltd., et al.

ON CONSIDERATION of the motion of counsel for respondents to retax costs in this case,

IT IS ORDERED by this Court that the said motion be, and it is hereby, granted. It is ordered that the mandate be recalled and the judgment amended so as to provide for an equal division of the costs between petitioner and the respondents.

Per Mr. Chief Justice Vinson.

NOTE:
AMENDED JUDGMENT, ENTERED NUNC PRO TUNC, AS OF MARCH 14, 1949, READS AS FOLLOWS:

Black Diamond Steamship Corporation,
Petitioner,
121 vs.
Robert Stewart & Sons, Ltd., et al.

On writ of certiorari to the United States Court of Appeals for the Second Circuit.

THIS CAUSE came on to be heard on the transcript of the record from the United States Court of Appeals for the Second Circuit, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is now here ordered and adjudged by this Court that the judgment of the said United States Court of Appeals, in this cause, be, and the same is hereby, reversed, costs in this Court to be equally divided; and that this cause be, and the same is hereby, remanded to the United States District Court for the Eastern District of New York for further proceedings in conformity with the opinion of this Court.

Per Mr. Justice Frankfurter.

Arthur Osman, David Livingston, Jack Paley, et al.,
Appellants,
404 vs.
Charles T. Douds, Individually and as Regional Director of the National Labor Relations Board.

ON CONSIDERATION of the motion for an order noting probable jurisdiction and setting the case for argument,

IT IS ORDERED by this Court that the said motion be, and it is hereby, denied.

Per Mr. Chief Justice Vinson.

William Henry Roberts,

Petitioner,

552, Misc. vs.

The United States District Court for the Northern District of California.

This case is assigned for hearing on the motion for leave to file a petition for writ of mandamus.

Per Mr. Chief Justice Vinson.

Travelers Health Association, et al.,

Appellants,

802 vs.

Commonwealth of Virginia.

The statement of jurisdiction in this case having been submitted and considered by the Court, probable jurisdiction is noted. The case is transferred to the summary docket.

Per Mr. Chief Justice Vinson.

Helen Parker, Ione Lane Wheeler, Katherine Gates, et al., Order allowing certiorari.

Petitioners,

711 vs.

County of Los Angeles, et al.

The petition herein for a writ of certiorari to the District Court of Appeal of the State of California, Second Appellate District, is granted.

And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

Julia Learner Steiner, Order allowing certiorari.

Petitioner,

712 vs.

County of Los Angeles, et al.

The petition herein for a writ of certiorari to the District Court of Appeal of the State of California, Second Appellate District, is granted.

And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

Sarah O'Donnell, Administratrix of the Estate of William O'Donnell, Deceased, Order allowing certiorari.

Petitioner,

743 vs.

Elgin, Joliet and Eastern Railway Company.

The petition herein for a writ of certiorari to the United States Court of Appeals for the Seventh Circuit is granted. The case is transferred to the summary docket.

And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

Roy Cole and Louis Jones, Order allowing certiorari.

Petitioners,

762 vs.

State of Arkansas.

The petition herein for a writ of certiorari to the Supreme Court of the State of Arkansas is granted. The case is transferred to the summary docket.

And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

Pete Mahoney,
Petitioner,
685 vs.
The People of the State of Michigan.

On petition for writ of certiorari to the Supreme Court of the State of Michigan.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of Michigan, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Charles C. Carlson,
Petitioner,
689 vs.
Federal Communications Commission and Louise C. Carlson.

On petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the District of Columbia Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

American Surety Company of New York,
Petitioner,
750 vs.
The United States of America.

On petition for writ of certiorari to the United States Court of Appeals for the Second Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Second Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

The Travelers Fire Insurance Company, New York Underwriters Insurance Company, et al., Petitioners, vs. Ranney-Davis Mercantile Company.

766

On petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Tenth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Lyman P. Rhodes, Jr., Petitioner, vs. Metropolitan Life Insurance Company.

776

On petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Fifth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mercury Press, Inc., Petitioner, vs. District of Columbia.

800

On petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the District of Columbia Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

John W. Snyder,

Petitioner,

777 vs.

The United States.

ON CONSIDERATION of the motion to dispense with printing the petition and record in this case,

IT IS ORDERED by this Court that the said motion be, and it is hereby, granted.

Per Mr. Chief Justice Vinson.

John W. Snyder, Petitioner, 777 vs. The United States.

On petition for writ of certiorari to The Court of Claims.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Court of Claims and of the argument of counsel thereupon had, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

The United States of America, Petitioner, 803 vs. 25.406 Acres of Land, More or Less, Situate in Arlington County, State of Virginia, and A. M. Nevius, et al.

On petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Fourth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Black took no part in the consideration or decision of this application.

The United States of America,

Plaintiff,

13, Original vs.

The State of Louisiana.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied. The objections to the granting of leave to file the complaint are overruled and the State of Louisiana is directed to answer the allegations of the complaint within the time specified in the subpoena, otherwise the plaintiff may proceed ex parte. Rule 6, par. 2 and 3.

Per Mr. Chief Justice Vinson.

Mr. Justice Jackson took no part in the consideration or disposition of the petition for rehearing.

The Union National Bank of Wichita, Kansas,

Petitioner,

500 vs.

Carl C. Lamb.

ON CONSIDERATION of the petition for rehearing and alternative request for modification of the opinion in this case,

IT IS ORDERED by this Court that the said petition for rehearing and alternative request be, and they are hereby, denied.

Per Mr. Chief Justice Vinson.

James A. Kennedy,

Appellant,

679 vs.

Ralph H. Walker, Warden, Connecticut State Prison.

ON CONSIDERATION of the motion for leave to file a petition for rehearing in this case,

IT IS ORDERED by this Court that the said motion be, and it is hereby, denied.

Per Mr. Chief Justice Vinson.

John Weber,

Petitioner,

268 vs.

The United States of America.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Arthur Terminiello,

Petitioner,

272 vs.

City of Chicago.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

George W. Humphrey, Warden,

Petitioner,

457 vs.

Bernard W. Smith.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

A. B. Momand,

Petitioner,

647 vs.

Universal Film Exchanges, Inc., et al.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Earnest DeWar,

Petitioner,

648 vs.

Walter A. Hunter, Warden, etc.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

In the Matter of Arthur Curtis Antrim Bush,

379, Misc. Petitioner.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Custer M. Coyle,

Petitioner,

490, Misc. vs.

The People of the State of California.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Leslie George Wakat,

Petitioner,

560, Misc. vs.

Joseph E. Ragen, Warden.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Benjamin Rockower,

Petitioner,

415, Misc. vs.

The United States of America.

On petition for writ of certiorari to the United States Court of Appeals for the Second Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Second Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Vincent James Grimaldi, Petitioner, vs. The United States of America.

On petition for writ of certiorari to the United States Court of Appeals for the Second Circuit.

416, Misc.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Second Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Frank Whelan, Petitioner, vs. The United States of America.

On petition for writ of certiorari to the United States Court of Appeals for the Second Circuit.

417, Misc.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Second Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Donald E. Masson, Petitioner, vs. The United States of America.

On petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit.

425, Misc.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the District of Columbia Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Langburn A. Wilde, Petitioner, vs. State of Louisiana. 440, Misc.

On petition for writ of certiorari to the Supreme Court of the State of Louisiana.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of Louisiana, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

William McAffee, Petitioner, vs. Donald Clemmer, Director. 486, Misc.

On petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the District of Columbia Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

John Glazewski, Jr., Petitioner, vs. John D. Pennington, Supt. 557, Misc.

On petition for writ of certiorari to the Supreme Court of the Commonwealth of Pennsylvania.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the Commonwealth of Pennsylvania, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

L. A. Nicholson, Adm'r., et al., Petitioners, vs. Guy A. Thompson, Trustee. 576, Misc. — On petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Sixth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

James Darden, Petitioner, vs. Joseph E. Ragen, Warden. 583, Misc. — On petition for writ of certiorari to the Circuit Court of Will County of the State of Illinois.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Circuit Court of Will County of the State of Illinois, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Raymond Beckham Wright, Petitioner, vs. Joseph E. Ragen, Warden. 584, Misc. — On petition for writ of certiorari to the Circuit Court of Will County of the State of Illinois.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Circuit Court of Will County of the State of Illinois, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Merlin James Smith, Petitioner,
600, Misc. vs.
Clinton T. Duffy, Warden.

On petition for writ of certiorari to the Supreme Court of the State of California.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of California, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Howard E. Mackey, Petitioner,
608, Misc. vs.
Walter B. Martin, Warden.

On petition for writ of certiorari to the United States Court of Appeals for the Second Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Second Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Ronald C. Blauvelt, Petitioner,
609, Misc. vs.
J. Vernal Jackson, Warden.

On petition for writ of certiorari to the Court of Appeals of the State of New York.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Court of Appeals of the State of New York, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Raymond Beckham Wright, Petitioner, vs. Joseph E. Ragen, Warden. — On petition for writ of certiorari to the Circuit Court of Peoria County of the State of Illinois.

613, Misc.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Circuit Court of Peoria County of the State of Illinois, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Lawrence C. Winn, Petitioner, vs. People of the State of California, et al. — On petition for writ of certiorari to the Supreme Court of the State of California.

618, Misc.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of California, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Frank R. Nottebaum, Petitioner, vs. Nathan Mayo, State Prison Custodian. — On petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit.

620, Misc.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Fifth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Richard Goodman, Petitioner, vs. Edwin T. Swenson, Warden. 622, Misc. — On petition for writ of certiorari to the Court of Appeals of the State of Maryland.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Court of Appeals of the State of Maryland, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

George Blake, Petitioner, vs. Joseph E. Ragen, Warden. 625, Misc. — On petition for writ of certiorari to the Criminal Court of Cook County of the State of Illinois.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Criminal Court of Cook County of the State of Illinois, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Clifton B. Fisher, Petitioner, vs. Edwin T. Swenson, Warden. 632, Misc. — On petition for writ of certiorari to the Court of Appeals of the State of Maryland.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Court of Appeals of the State of Maryland, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Calvin R. Smith,
Petitioner,
636, Misc. vs.
Joseph E. Ragen, Warden.

On petition for writ of certiorari to the Supreme Court of the State of Illinois.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of Illinois, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Marvin O'Malley,
Petitioner,
638, Misc. vs.
The People of the State of California.

On petition for writ of certiorari to the Supreme Court of the State of California.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of California, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

John Cordts,
Petitioner,
644, Misc. vs.
Joseph E. Ragen, Warden.

On petition for writ of certiorari to the Circuit Court of Saint Clair County of the State of Illinois.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Circuit Court of Saint Clair County of the State of Illinois, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Thomas Stephenson,

Petitioner,

582, Misc. vs.

State of New Jersey.

ON CONSIDERATION of the motion for leave to file a petition for writ of habeas corpus herein,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

In the Matter of Fred C. Gruetter,

601, Misc. Petitioner.

ON CONSIDERATION of the motion for leave to file a petition for writ of habeas corpus herein,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

George H. Gibson,

Petitioner,

606, Misc. vs.

Percy A. Lainson, Warden.

ON CONSIDERATION of the motion for leave to file a petition for writ of habeas corpus herein,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

W. H. Roberts,

Petitioner,

607, Misc. vs.

Robert A. Heinze, Warden.

ON CONSIDERATION of the motion for leave to file a petition for writ of habeas corpus herein,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Luther C. Joyner,

Petitioner,

619, Misc. vs.

J. Leroy Wright, Warden.

ON CONSIDERATION of the motion for leave to file a petition for writ of habeas corpus herein,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Bernard M. Shotkin, et al.,

Petitioners,

598, Misc. vs.

The Denver Publishing Company, et al.

ON CONSIDERATION of the application submitted herein by Bernard M. Shotkin,

IT IS ORDERED by this Court that the said application be, and it is hereby, denied.

Per Mr. Chief Justice Vinson.

William J. Smith,

Petitioner,

615, Misc. vs.

Major General Edward F. Witsell.

ON CONSIDERATION of the application submitted herein by William J. Smith,

IT IS ORDERED by this Court that the said application be, and it is hereby, denied.

Per Mr. Chief Justice Vinson.

Robert Lee Lemmons,

Petitioner,

614, Misc. vs.

John F. Foster, Warden.

ON CONSIDERATION of the motion for leave to file a petition for writ of certiorari,

IT IS ORDERED by this Court that the said motion be, and it is hereby, denied.

Per Mr. Chief Justice Vinson.

Hughes R. Hilliard,

Petitioner,

633, Misc. vs.

E. Marvin Underwood, District Judge.

ON CONSIDERATION of the motion for leave to file a petition for writ of mandamus herein,

IT IS ORDERED by this Court that the said motion be, and it is hereby, denied.

Per Mr. Chief Justice Vinson.

Charles Lee McIntosh,

Petitioner,

637, Misc. vs.

United States District Court for the Western District of Missouri.

ON CONSIDERATION of the motion for leave to file a petition for writ of mandamus herein,

IT IS ORDERED by this Court that the said motion be, and it is hereby, denied.

Per Mr. Chief Justice Vinson.

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Proclamation being made the Court is adjourned until Monday, June 20, next, at 12 o'clock.

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ORDER

The Clerk of this Court having represented to the Court the necessity for enlarged authority to transfer funds from the Special Fund, established by the Order of October 10, 1921, and maintained under the Order of October 16, 1948, to the regular business bank account of the Clerk;

And upon consideration of the request of the Clerk to grant him greater flexibility in transferring funds between his several bank accounts for the reasons fully set out in the Clerk's Annual Report to the Court, dated May 31, 1949;

IT IS ORDERED BY THIS COURT that the Clerk be, and he hereby is, authorized to transfer from the Special Fund to the regular business bank account of the Clerk, such amounts of money at such times as may be advisable or necessary to pay his compensation or to meet the operating expenses of his office when at any time the balance in the regular business bank account of the Clerk is insufficient in amount to meet such expenses and cannot be adequately reimbursed from the Clerk's Reserve Account.

/s/ FRED M. VINSON

Chief Justice

June 10, 1949.

MONDAY, JUNE 20, 1949.

Pursuant to adjournment the Court met at the Supreme Court Building.

PRESENT:

The Honorable Fred M. Vinson, Chief Justice,
Hugo L. Black,
Stanley Reed,
Felix Frankfurter,
Frank Murphy,
Robert H. Jackson,
Wiley Rutledge,
Harold H. Burton. Associate Justices.

Thomas Ennalls Waggaman, Esquire, Marshal,

Charles Elmore Cropley, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Solicitor General Philip B. Perlman, It is ordered that Ross O'Donoghue, Esquire, of Washington, District of Columbia; Robert M. Scott, Esquire, of Washington, District of Columbia; James R. Sharp, Esquire, of Washington, District of Columbia; Daniel L. O'Connor, Esquire, of Washington, District of Columbia; John J. O'Leary, Esquire, of Chevy Chase, State of Maryland; Stafford R. Grady, Esquire, of Grand Rapids, State of Michigan; C. Frank Reifsnyder, Esquire, of Washington, District of Columbia; Ralph J. Luttrell, Esquire, of Alexandria, Commonwealth of Virginia; Morris A. Epstein, Esquire, of Toledo, State of Ohio; Wm. S. McKinley, Esquire, of Washington, District of Columbia; and Thomas H. Casey, Esquire, of New York, State of New York, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. William E. Jenner, It is ordered that Ray S. Donaldson, Esquire, of Washington, State of Indiana, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. James William Trimble, It is ordered that Eugene R. Warren, Esquire, of Little Rock, State of Arkansas; Bruce T. Bullion, Esquire, of Little Rock, State of Arkansas; and W. G. Dinning, Jr., Esquire, of Helena, State of Arkansas, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. William M. Whittington, It is ordered that Means Johnston, Esquire, of Greenwood, State of Mississippi, and Jamie L. Whitten, Esquire, of Charleston, State of Mississippi, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Harley M. Kilgore, It is ordered that Francis Coleman Rosenberger, Esquire, of Alexandria, Commonwealth of Virginia, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. George H. Mahon, It is ordered that Alton B. Chapman, Esquire, of Floydada, State of Texas, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Jas. C. Davis, It is ordered that James Harrison Leathers, Esquire, of Decatur, State of Georgia, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Wm. W. Blackney, It is ordered that Ralph E. Gault, Esquire, of Flint, State of Michigan, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Robert Crosser, It is ordered that Earl T. Wagner, Esquire, of Cincinnati, State of Ohio, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. James I. Dolliver, It is ordered that Martin M. Cooney, Esquire, of Dubuque, State of Iowa, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Joseph P. O'Hara, It is ordered that LeRoy M. Harff, Esquire, of Alexandria, Commonwealth of Virginia, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Henry P. Chandler, It is ordered that Clyde C. Colwell, Esquire, of Chicago, State of Illinois, and David Newell Conn, Esquire, of Sparta, State of Illinois, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. George A. Smathers, It is ordered that Wareing T. Miller, Esquire, of West Palm Beach, State of Florida, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Philip Ershler, It is ordered that Charles Walker, Esquire, of Washington, District of Columbia, and Milford F. Schwartz, Esquire, of Washington, District of Columbia, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Harold J. McLaughlin, It is ordered that Noah Goldstein, Esquire, of Brooklyn, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Brendan F. Brown, It is ordered that Timothy V. A. Dillon, Esquire, of Washington, District of Columbia, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Wm. J. Chisholm, It is ordered that Emanuel Targum, Esquire, of New York, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. William F. McDonnell, It is ordered that Roger S. Calnan, Esquire, of Washington, District of Columbia, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Raymond Edwin Steele, It is ordered that Simon P. Carpino, Esquire, of Steubenville, State of Ohio, and James J. Shanley, Esquire, of Washington, District of Columbia, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Almon S. Nelson, It is ordered that Emanuel R. Posnack, Esquire, of New York, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Josh Lee, It is ordered that L. Keith Smith, Esquire, of Jay, State of Oklahoma, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Wilbur D. Sparks, It is ordered that Louis E. Yavner, Esquire, of New York, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Robert A. Collier, It is ordered that Ned McDaniel, Esquire, of Austin, State of Texas, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Alphonso Everette MacIntyre, It is ordered that Brockman Horne, Esquire, of Houston, State of Texas, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Samuel David Slade, It is ordered that William E. Miller, Esquire, of Washington, District of Columbia, and Stephen Ailes, Esquire, of Washington, District of Columbia, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Isidore H. Wachtel, It is ordered that Harry L. Schein, Esquire, of New York, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. William H. Collins, It is ordered that Francis J. Roche, Esquire, of Cambridge, Commonwealth of Massachusetts, and David H. Stuart, Esquire, of Belmont, Commonwealth of Massachusetts, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Daniel H. Kunkel, It is ordered that Edward J. Hickey, Jr., Esquire, of Washington, District of Columbia, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Kenneth L. Kimble, It is ordered that Cyrus V. Anderson, Esquire, of Pittsburgh, Commonwealth of Pennsylvania, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Miles Dorwin Pillars, It is ordered that John L. Stoughton, Esquire, of Detroit, State of Michigan, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Gerhard Van Arkel, It is ordered that Arthur Christopher, Jr., Esquire, of Washington, District of Columbia, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Dean Pritchard Kimball, It is ordered that Gerard C. Smith, Esquire, of New York, State of New York, and Kevin McInerney, Esquire, of New York, State of New York, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Bradford Ross, It is ordered that Louis Charles Kaplan, Esquire, of Washington, District of Columbia, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Thomas A. Kennedy, It is ordered that J. W. Curran, Esquire, of New Haven, State of Connecticut, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Benjamin C. Sigal, It is ordered that Herman E. Cooper, Esquire, of New York, State of New York, and H. Howard Ostrin, Esquire, of New York, State of New York, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Irving R. M. Panzer, It is ordered that Nathan Asimow, Esquire, of Los Angeles, State of California, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Robert L. Stern, It is ordered that Samuel Landau, Esquire, of Honolulu, Territory of Hawaii, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. John P. Carr, It is ordered that Willard A. Weiss, Esquire, of Cleveland, State of Ohio, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

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National Labor Relations Board, Petitioner,

258 vs.

The Pittsburgh Steamship Company.

On writ of certiorari to the United States Court of Appeals for the Sixth Circuit.

THIS CAUSE came on to be heard on the transcript of the record from the United States Court of Appeals for the Sixth Circuit, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is now here ordered and adjudged by this Court that the judgment of the said United States Court of Appeals, in this cause, be, and the same is hereby, reversed; and that this cause be, and the same is hereby, remanded to the said Court of Appeals for further proceedings in conformity with the opinion of this Court.

Per Mr. Justice Rutledge.

Mr. Justice Jackson reserves opinion as to the sufficiency of the evidence under the Wagner Act in view of the Court's determination to return the case to the Court of Appeals.

Interstate Oil Pipe Line Company, Appellant,

287 vs.

A. H. Stone, Chairman, State Tax Commission.

Appeal from the Supreme Court of the State of Mississippi.

THIS CAUSE came on to be heard on the transcript of the record from the Supreme Court of the State of Mississippi, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court, in this cause, be, and the same is hereby, affirmed with costs.

Per Mr. Justice Rutledge.

Opinion by Mr. Justice Burton concurring in the judgment.

Dissenting opinion by Mr. Justice Reed in which Mr. Chief Justice Vinson, Mr. Justice Frankfurter, and Mr. Justice Jackson join.

Hannah Cohen, Executrix of the Estate of Sol Cohen, Deceased, and David E. Cohen, Intervenor,

Petitioners,

442 vs.

Beneficial Industrial Loan Corporation, et al.

On writ of certiorari to the United States Court of Appeals for the Third Circuit.

THIS CAUSE came on to be heard on the transcript of the record from the United States Court of Appeals for the Third Circuit, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is now here ordered and adjudged by this Court that the judgment of the said United States Court of Appeals, in this cause, be, and the same is hereby, affirmed with costs; and that this cause be, and the same is hereby, remanded to the United States District Court for the District of New Jersey.

Per Mr. Justice Jackson.

Opinion by Mr. Justice Douglas dissenting in part in which Mr. Justice Frankfurter concurs.

Dissenting opinion by Mr. Justice Rutledge.

Beneficial Industrial Loan Corporation,

Petitioner,

512 vs.

Honorable William F. Smith, a Judge of the United States District Court for the District of New Jersey, et al.

On writ of certiorari to the United States Court of Appeals for the Third Circuit.

THIS CAUSE came on to be heard on the transcript of the record from the United States Court of Appeals for the Third Circuit, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is now here ordered by this Court that the writ of certiorari, in this cause, be, and the same is hereby, dismissed; and that this cause be, and the same is hereby, remanded to the said Court of Appeals.

Per Mr. Justice Jackson.

Wheeling Steel Corporation, Appellant, vs. C. Emory Glander, Tax Commissioner of Ohio. — Appeal from the Supreme Court of the State of Ohio.

447

THIS CAUSE came on to be heard on the transcript of the record from the Supreme Court of the State of Ohio, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court, in this cause, be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the said Supreme Court for proceedings not inconsistent with the opinion of this Court.

Per Mr. Justice Jackson.

Dissenting opinion by Mr. Justice Douglas in which Mr. Justice Black concurs.

Separate opinion by Mr. Justice Jackson.

National Distillers Products Corporation, Appellant, vs. C. Emory Glander, Tax Commissioner of Ohio. — Appeal from the Supreme Court of New York, the State of Ohio.

448

THIS CAUSE came on to be heard on the transcript of the record from the Supreme Court of the State of Ohio, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court, in this cause, be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the said Supreme Court for proceedings not inconsistent with the opinion of this Court.

Per Mr. Justice Jackson.

Dissenting opinion by Mr. Justice Douglas in which Mr. Justice Black concurs.

National Mutual Insurance Company of the District of Columbia,

Petitioner,

29 vs.

Tidewater Transfer Company, Incorporated, a Corporation of the State of Virginia.

On writ of certiorari to the United States Court of Appeals for the Fourth Circuit.

THIS CAUSE came on to be heard on the transcript of the record from the United States Court of Appeals for the Fourth Circuit, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is now here ordered and adjudged by this Court that the judgment of the said United States Court of Appeals, in this cause, be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the United States District Court for the District of Maryland for further proceedings in conformity with the judgment of this Court.

Per Mr. Justice Jackson.

Opinion by Mr. Justice Rutledge concurring in the judgment in which Mr. Justice Murphy joins.

Dissenting opinion by Mr. Justice Frankfurter in which Mr. Justice Reed concurs.

Dissenting opinion by Mr. Chief Justice Vinson in which Mr. Justice Douglas joins.

Julius Ranny Ragan,

Petitioner,

522 vs.

Merchants Transfer & Warehouse Company, Inc.

On writ of certiorari to the United States Court of Appeals for the Tenth Circuit.

THIS CAUSE came on to be heard on the transcript of the record from the United States Court of Appeals for the Tenth Circuit, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is now here ordered and adjudged by this Court that the judgment of the said United States Court of Appeals, in this cause, be, and the same is hereby, affirmed with costs; and that this cause be, and the same is hereby, remanded to the United States District Court for the District of Kansas.

Per Mr. Justice Douglas.

Dissenting: Mr. Justice Rutledge.

J. S. Woods,

Petitioner,

465 vs.

Interstate Realty Company.

On writ of certiorari to the United States Court of Appeals for the Fifth Circuit.

THIS CAUSE came on to be heard on the transcript of the record from the United States Court of Appeals for the Fifth Circuit, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is now here ordered and adjudged by this Court that the judgment of the said United States Circuit Court of Appeals, in this cause, be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the United States District Court for the Northern District of Mississippi for proceedings in conformity with the opinion of this Court.

Per Mr. Justice Douglas.

Dissenting: Mr. Justice Rutledge.

Dissenting opinion by Mr. Justice Jackson in which Mr. Justice Rutledge and Mr. Justice Burton join.

Aeronautical Industrial District Lodge 727, an Unincorporated Association,

Petitioner,

333 vs.

James L. Campbell, Mitchell B. Joplin, Malcolm E. Kirk and Lockheed Aircraft Corporation.

On writ of certiorari to the United States Court of Appeals for the Ninth Circuit.

THIS CAUSE came on to be heard on the transcript of the record from the United States Court of Appeals for the Ninth Circuit, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is now here ordered and adjudged by this Court that the judgment of the said United States Court of Appeals, in this cause, be, and the same is hereby, reversed without recovery of costs; and that this cause be, and the same is hereby, remanded to the United States District Court for the Southern District of California for proceedings in conformity with the opinion of this Court.

Per Mr. Justice Frankfurter.

Mr. Justice Douglas concurs in the result.

Henry M. Propper, as Receiver of the Property and Assets Within the State of New York of A. K. M.,

Petitioner,

390 vs.

Tom C. Clark, Attorney General, as Successor to the Alien Property Custodian.

On writ of certiorari to the United States Court of Appeals for the Second Circuit.

THIS CAUSE came on to be heard on the transcript of the record from the United States Court of Appeals for the Second Circuit, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is now here ordered and adjudged by this Court that the judgment of the said United States Court of Appeals, in this cause, be, and the same is hereby, affirmed; and that this cause be, and the same is hereby, remanded to the United States District Court for the Southern District of New York.

Per Mr. Justice Reed.

Dissenting: Mr. Justice Jackson.

Opinion by Mr. Justice Frankfurter dissenting in part.

Mr. Chief Justice Vinson took no part in the consideration or decision of this case.

Federal Power Commission,

Petitioner,

558 vs.

Panhandle Pipe Line Company, et al.

On writ of certiorari to the United States Court of Appeals for the Third Circuit.

THIS CAUSE came on to be heard on the transcript of the record from the United States Court of Appeals for the Third Circuit, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is now here ordered and adjudged by this Court that the judgment of the said United States Court of Appeals, in this cause, be, and the same is hereby, affirmed; and that this cause be, and the same is hereby, remanded to the United States District Court for the District of Delaware.

Per Mr. Justice Reed.

Dissenting opinion by Mr. Justice Black in which Mr. Justice Douglas and Mr. Justice Rutledge concur.

Mr. Justice Murphy took no part in the consideration or decision of this case.

The United States of America, Appellant, vs. The Interstate Commerce Commission, The United States of America, The Pennsylvania Railroad Company, et al.

Appeal from the United States District Court for the District of Columbia.

330

THIS CAUSE came on to be heard on the transcript of the record from the United States District Court for the District of Columbia, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is now here ordered and adjudged by this Court that the judgment of the said District Court, in this cause, be, and the same is hereby, reversed; and that this cause, be, and the same is hereby, remanded to the said District Court for further proceedings in conformity with the opinion of this Court.

Per Mr. Justice Black.

Dissenting opinion by Mr. Justice Frankfurter in which Mr. Justice Jackson and Mr. Justice Burton join.

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The Chief Justice announced the following orders of the Court:

Donald Loftus, Petitioner, vs. People of the State of Illinois.

On writ of certiorari to the Supreme Court of the State of Illinois.

4

THIS CAUSE came on to be heard on the transcript of the record from the Supreme Court of the State of Illinois, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is ordered by this Court that the writ of certiorari in this cause, be, and the same is hereby, dismissed.

Per Mr. Chief Justice Vinson.

Sam Thompson,

Petitioner,

102, Misc. vs.

Walter Nierstheimer, Warden, Illinois State Penitentiary, Menard, Illinois.

On petition for writ of certiorari to the Circuit Court of Randolph County, State of Illinois.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby granted; and that the petition for writ of certiorari be, and the same is hereby, granted.

Per Mr. Chief Justice Vinson.

Sam Thompson,

Petitioner,

102, Misc. vs.

Walter Nierstheimer, Warden, Illinois State Penitentiary, Menard, Illinois.

On writ of certiorari to the Circuit Court of Randolph County, State of Illinois.

THIS CAUSE came on to be heard on the transcript of the record from the Circuit Court of Randolph County, State of Illinois, and was duly submitted.

ON CONSIDERATION WHEREOF, It is ordered by this Court that the order of the Circuit Court of Randolph County denying a petition for writ of habeas corpus, in this cause, be, and the same is hereby, vacated.

IT IS FURTHER ORDERED that this cause, be, and the same is hereby, remanded to the said Circuit Court of Randolph County for consideration of the petition in the light of the opinions of the Supreme Court of Illinois in People v. Loftus, 400 Ill. 432; People v. Shoffner, 400 Ill. 174; and People v. Wilson, 399 Ill. 437. See Young v. Ragen, --- U. S. ---, No. 50, October Term, 1948, decided June 6, 1949.

Per Mr. Chief Justice Vinson.

Gulfstream Park Racing Association, Inc., Appellant, vs. Robert L. Weed, Architect, Inc., a Florida Corporation. — Appeal from the Supreme Court of the State of Florida.

847

THIS CAUSE came on to be heard on the transcript of the record from the Supreme Court of the State of Florida, and on motion to dismiss or affirm, which was duly submitted.

ON CONSIDERATION WHEREOF, It is now here ordered by this Court that the motion to dismiss the appeal herein be, and the same is hereby, granted.

IT IS FURTHER ORDERED that the appeal herein be, and the same is hereby, dismissed for the want of a substantial federal question.

Per Mr. Chief Justice Vinson.

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The Chief Justice said:

"The other orders of the Court appear upon the list certified by the Chief Justice and filed with the clerk and will not be announced orally."

Federal Power Commission, Petitioner, vs. East Ohio Gas Company, et al. — Order allowing certiorari.

789

The petition herein for a writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit is granted.

And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

Mr. Justice Burton took no part in the consideration or decision of this application.

Wilmette Park District, Order allowing certiorari.

Petitioner,

801 vs.

Nigel D. Campbell, Collector of Internal Revenue.

The petition herein for a writ of certiorari to the United States District Court of Appeals for the Seventh Circuit is granted.

And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

Kaname Fujino, On petition for writ of certiorari

Petitioner, to the United States Court of

659 vs. Appeals for the Ninth Circuit.

Tom C. Clark, Attorney General of the United States.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Ninth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Clarence Milton Calhoun, Alvis Earl Lanham and J. B. Russell, On petition for writ of certiorari

to the United States Court of

Petitioners, Appeals for the Fifth Circuit.

725 vs.

The United States of America.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Fifth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Estate of Theodore F. McManus, Deceased, et al.,

Petitioners,

756 vs.

Commissioner of Internal Revenue.

On petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Sixth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Great Northern Railway Company and Minneapolis, St. Paul and Sault Ste Marie Railroad Company,

Petitioners,

757 vs.

Paul F. Lehman, et al.

On petition for writ of certiorari to the Supreme Court of the State of Minnesota.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of Minnesota, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Frank Sgambati,

Petitioner,

758 vs.

The United States of America.

On petition for writ of certiorari to the United States Court of Appeals for the Second Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Second Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Samuel Roth, Doing Business of Psychic Research Press, etc.,

Petitioner,

759 vs.

Albert Goldman, Individually and as Postmaster at New York City.

On petition for writ of certiorari to the United States Court of Appeals for the Second Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Second Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

William D. Noland, Trustee, and William D. Noland, Personal,

Petitioner,

772 vs.

Harry C. Westover, Collector, United States Treasury Department, etc., et al.

On petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Ninth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

The Pittsburgh and West Virginia Railway Company,

Petitioner,

774 vs.

Commissioner of Internal Revenue.

On petition for writ of certiorari to the United States Court of Appeals for the Third Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Third Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Matson Navigation Company, Petitioner, vs. War Damage Corporation. 775

On petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Ninth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

John Joseph Kan, Petitioner, vs. Ernest Tsang. 778

On petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Ninth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

District of Columbia, Petitioner, vs. Smoot Sand & Gravel Corporation. 780

On petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the District of Columbia Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Charles C. Lockard, Ray Myre, W. E. Robertson, et al.,

Petitioners,

782 vs.

City of Los Angeles, et al.

On petition for writ of certiorari to the Supreme Court of the State of California.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of California, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Estella Latta, Jones M. Griffin and Alvin Chambers,

Petitioners,

788 vs.

Western Investment Company, et al.

On petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Ninth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Sales Affiliates, Inc.,

Petitioner,

790 vs.

National Mineral Company, Now, By Change of Name, Helene Curtis Industries, Inc.

On petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Seventh Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Continental Casualty Company,
Petitioner,
791 vs.
The United States of America, For the Use of M. C. Schaefer, an Individual Doing Business as Concrete Construction Company, et al.

On petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Ninth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

International Harvester Company,
Petitioner,
792 vs.
Nellie Irene Troutman, Administratrix of the Estate of Phillip A. Troutman, Deceased.

On petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Sixth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

The Union Trust Company of Indianapolis,
Petitioner,
794 vs.
The United States of America.

On petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Seventh Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Henry Plough,

Petitioner,

813 vs.

Baltimore and Ohio Railroad Company.

On petition for writ of certiorari to the United States Court of Appeals for the Second Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Second Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Marjorie A. Hanson, as Administratrix of the Estate of Gordon M. Hanson, Deceased,

Petitioner,

814 vs.

Baltimore and Ohio Railroad Company.

On petition for writ of certiorari to the United States Court of Appeals for the Second Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Second Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Elmer Van Slyke,

Petitioner,

815 vs.

Baltimore and Ohio Railroad Company.

On petition for writ of certiorari to the United States Court of Appeals for the Second Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Second Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Caroline Lynch, as Administratrix of the Estate of Myron George Lynch, Deceased,

Petitioner,

816 vs.

Baltimore and Ohio Railroad Company.

On petition for writ of certiorari to the United States Court of Appeals for the Second Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Second Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Ray S. Berger, Doing Business as Berger Sales Company,

Petitioner,

819 vs.

Charles Brannan, Secretary of Agriculture, Suing on Behalf of the United States of America.

On petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Tenth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Irene B. Whetstone,

Petitioner,

826 vs.

The United States of America.

On petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Seventh Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Constantino Vincent Riccardi,
Petitioner,
830 vs.
The United States of America.

On petition for writ of certiorari to the United States Court of Appeals for the Third Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Third Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Peter Petersen and Clara Belle Petersen, etc., et al.,
Petitioners,
691 vs.
Christ's Church of the Golden Rule, etc., et al.

ON CONSIDERATION of the motion for leave to withdraw the appearance of Howard B. Crittenden, Jr., as counsel for the petitioners in this case,

IT IS ORDERED by this Court that the said motion be, and it is hereby, denied.

Per Mr. Chief Justice Vinson.

Peter Petersen and Clara Belle Petersen, Husband and Wife, and George D. Patrick,
Petitioners,
691 vs.
Christ's Church of the Golden Rule, etc., et al.

On petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Ninth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

George F. Zimmermann,

Petitioner,

748 vs.

The United States of America.

ON CONSIDERATION of the motion to dispense with printing the record in this case,

IT IS ORDERED by this Court that the said motion be, and it is hereby, granted.

Per Mr. Chief Justice Vinson.

George F. Zimmermann, Petitioner, 748 vs. The United States of America.

On petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Fifth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Julius Hall Lyons,

Petitioner,

832 vs.

Capital Transit Company.

ON CONSIDERATION of the motion to dispense with printing the record in this case,

IT IS ORDERED by this Court that the said motion be, and it is hereby, granted.

Per Mr. Chief Justice Vinson.

Julius Hall Lyons,

Petitioner,

832 vs.

Capital Transit Company.

On petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the District of Columbia Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

The United States of America, ex rel.
Paul Emil Oswald Schirrmeister,

Petitioner,

867 vs.

W. F. Watkins, District Director,
Immigration and Naturalization Service,
etc.

ON CONSIDERATION of the motion to dispense with printing the petition and record in this case,

IT IS ORDERED by this Court that the said motion be, and it is hereby, granted.

Per Mr. Chief Justice Vinson.

The United States of America, ex rel.
Paul Emil Oswald Schirrmeister,

Petitioner,

867 vs.

W. F. Watkins, District Director,
Immigration and Naturalization Service,
etc.

On petition for writ of certiorari to the United States Court of Appeals for the Second Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Second Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied for the reason that application therefor was not made within the time provided by law. Title 28, United States Code, Sec. 2101 (c).

Per Mr. Chief Justice Vinson.

National Labor Relations Board,

Petitioner,

197 vs.

Crompton-Highland Mills, Inc.

A petition for rehearing having been filed in this case by the National Labor Relations Board,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Vern Smith,

Appellant,

690 vs.

The People of the State of California.

ON CONSIDERATION of the motion for leave to file a petition for rehearing in this case,

IT IS ORDERED by this Court that the said motion be, and it is hereby, denied.

Per Mr. Chief Justice Vinson.

Lawrence E. Kelly, Administrator of the Estate of H. M. Kelly, Deceased, and Mollie Kelly,

Petitioners,

719 vs.

The Shamrock Oil and Gas Corporation.

ON CONSIDERATION of the motion for an extension of time within which to file a petition for rehearing in this case,

IT IS ORDERED by this Court that the said motion be, and it is hereby, granted.

Per Mr. Chief Justice Vinson.

Lawrence E. Kelly, Administrator of the Estate of H. M. Kelly, Deceased, and Mollie Kelly,

Petitioners,

719 vs.

The Shamrock Oil and Gas Corporation.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Ed Thys and Albert K. Miller, Co-partners, Doing Business as Thys and Miller,

Petitioners,

720 vs.

The State of Washington.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Harry Francis,

Petitioner,

721 vs.

The United States of America.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

George B. Gann, Jr.,

Petitioner,

338, Misc. vs.

William H. Hiatt, Warden.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Edward Morgan MacKenna,

Petitioner,

472, Misc. vs.

People of the State of New York.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

James Albert D'Ostroph,

Petitioner,

580, Misc. vs.

The United States Court of Appeals for the Eighth Circuit.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

John Elmo Morant,

Petitioner,

550, Misc. vs.

State of New York.

ON CONSIDERATION of the motion for leave to file a petition for rehearing in this case,

IT IS ORDERED by this Court that the said motion be, and it is hereby, denied.

Per Mr. Chief Justice Vinson.

Joe Pippin,

Petitioner,

302, Misc. vs.

Walter Nierstheimer, Warden.

On petition for writ of certiorari to the Supreme Court of the State of Illinois.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of Illinois, It is ordered by this Court that the said petition be, and the same is hereby, denied without prejudice to the filing of an application for writ of habeas corpus in any State court of competent jurisdiction. See Young v. Ragen, ___ U. S. ___, No. 50, October Term, 1948, decided June 6, 1949.

Per Mr. Chief Justice Vinson.

Fred Raymond Koenig,

Petitioner,

359, Misc. vs.

Tom Smith, Superintendent.

ON CONSIDERATION of the motion to strike the brief for respondent in this case,

IT IS ORDERED by this Court that the said motion be, and it is hereby, denied.

Per Mr. Chief Justice Vinson.

Fred Raymond Koenig, Petitioner, vs. Tom Smith, Superintendent. — On petition for writ of certiorari to the Supreme Court of the State of Washington.

359, Misc.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of Washington, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Sam Thompson, Petitioner, vs. People of the State of Illinois. — On petition for writ of certiorari to the Circuit Court of St. Clair County of the State of Illinois.

2, Misc.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Circuit Court of St. Clair County of the State of Illinois, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Sam Thompson, Petitioner, vs. People of the State of Illinois. — On petition for writ of certiorari to the Supreme Court of the State of Illinois.

10, Misc.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of Illinois, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Fred Banks,
Petitioner,
373, Misc. vs.
Walter Nierstheimer, Warden, et al.

On petition for writ of certiorari to the Criminal Court of Cook County of the State of Illinois.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Criminal Court of Cook County of the State of Illinois, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Alex M. Ferguson, Temporary Administrator, etc., et al.,
Petitioners,
377, Misc. vs.
James E. Ferguson.

On petition for writ of certiorari to the Court of Civil Appeals, 3rd Supreme Judicial District, State of Texas.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Court of Civil Appeals, 3rd Supreme Judicial District, State of Texas, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

R. T. Thomas,
Petitioner,
414, Misc. vs.
H. C. Moore, Warden.

On petition for writ of certiorari to the District Court of Walker County of the State of Texas.

ON CONSIDERATION of the petition for a writ of certiorari herein to the District Court of Walker County of the State of Texas, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Joseph P. Oddo, Petitioner, vs. The United States of America. — On petition for writ of certiorari to the United States Court of Appeals for the Second Circuit.

424, Misc.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Second Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Kingdom De Normand, et al., Petitioners, vs. United States. — On petition for writ of certiorari to the United States Court of Appeals for the Second Circuit.

450, Misc.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Second Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Richard Anderson Lowe, Petitioner, vs. The United States of America. — On petition for writ of certiorari to the United States Court of Appeals for the Second Circuit.

476, Misc.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Second Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Ivan Laughlin Wagner, Petitioner, vs. The United States of America. 477, Misc. — On petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Fifth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Arthur Lee Flynn, Petitioner, vs. The United States of America. 484, Misc. — On petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Ninth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

James C. Birtch, Petitioner, vs. The United States of America. 491, Misc. — On petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Fourth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Martin Luther Marion, Petitioner, vs. The United States of America. 533, Misc.

On petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Ninth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

August Pascal, Petitioner, vs. C. J. Burke, Warden. 540, Misc.

On petition for writ of certiorari to the Supreme Court of the Commonwealth of Pennsylvania.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the Commonwealth of Pennsylvania, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Willie James Shoe, Petitioner, vs. The United States of America. 542, Misc.

On petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Fifth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Richard Anderson Lowe, Petitioner, vs. George W. Humphrey, Warden. — On petition for writ of certiorari to the United States Court of Appeals for the Third Circuit.

546, Misc.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Third Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

John Murray Gould, Petitioner, vs. The United States of America. — On petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit.

553, Misc.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Tenth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Robert L. Hicks, Petitioner, vs. The United States of America. — On petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit.

555, Misc.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Fourth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

John Harvey Haley, Petitioner, vs. State of Ohio.

574, Misc.

On petition for writ of certiorari to the Supreme Court of the State of Ohio.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of Ohio, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Inez Horton Gay, Petitioner, vs. Fidelity Union Trust Company, Executor and Trustee, etc.

581, Misc.

On petition for writ of certiorari to the Supreme Court of the State of New Jersey.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of New Jersey, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

William H. Jackson, Petitioner, vs. W. H. Hiatt, Warden.

586, Misc.

On petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Fifth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

George A. Garner and Lawrence J. Garner,

Petitioners,

590, Misc. vs.

The United States of America.

On petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the District of Columbia Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Charles Skinner,

Petitioner,

596, Misc. vs.

Browning Robinson, Warden.

On petition for writ of certiorari to the Circuit Court of Lee County of the State of Illinois.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Circuit Court of Lee County of the State of Illinois, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Charles M. Godwin,

Petitioner,

599, Misc. vs.

W. Frank Smyth, Jr., Supt.

On petition for writ of certiorari to the Supreme Court of Appeals of the Commonwealth of Virginia.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of Appeals of the Commonwealth of Virginia, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Pete Fiamengo and Nick Marinkovich, Petitioners, vs. The American Fishing Vessel "San Francisco" and Andrew Zamberlin. — On petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit.

605, Misc.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Ninth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Charlie Burch, Petitioner, vs. F. S. Kierman, Warden. — On petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit.

611, Misc.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Sixth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Frank Carter, Petitioner, vs. The United States of America. — On petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit.

616, Misc.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Tenth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Ethelyn C. Rodda, Petitioner, vs. James M. Rodda. — On petition for writ of certiorari to the Supreme Court of the State of Oregon.

621, Misc.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of Oregon, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Albert A. Adams, Petitioner, vs. William H. Hiatt, Warden. — On petition for writ of certiorari to the United States Court of Appeals for the Third Circuit.

623, Misc.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Third Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Ernest William Howell, Petitioner, vs. The United States of America. — On petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit.

626, Misc.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Eighth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Ernest William Howell, Petitioner, vs. The United States of America. — On petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit.

626, Misc.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Tenth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Otis Loper, Petitioner, vs. State of Texas. — On petition for writ of certiorari to the Court of Criminal Appeals of the State of Texas.

627, Misc.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Court of Criminal Appeals of the State of Texas, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Robert Reeves, Petitioner, vs. State of Georgia. — On petition for writ of certiorari to the Court of Appeals of the State of Georgia.

628, Misc.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Court of Appeals of the State of Georgia, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Alva Wallace, Petitioner, 629, Misc. vs. The United States of America.

On petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Eighth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Roy L. Story, Petitioner, 630, Misc. vs. The United States of America.

On petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Eighth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

William D. Fuller, Petitioner, 639, Misc. vs. State of Michigan.

On petition for writ of certiorari to the Supreme Court of the State of Michigan.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of Michigan, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Earl H. Pope, Petitioner, vs. Nathan Mayo, Custodian. 640, Misc. — On petition for writ of certiorari to the Supreme Court of the State of Florida.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of Florida, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Martin Thomas Tabor, Petitioner, vs. Edwin T. Swenson, Warden. 641, Misc. — On petition for writ of certiorari to the Court of Appeals of the State of Maryland.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Court of Appeals of the State of Maryland, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Dorsey Edmondson, Petitioner, vs. Dr. LeRoy Wright, Warden. 645, Misc. — On petition for writ of certiorari to the Court of Appeals of the State of Maryland.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Court of Appeals of the State of Maryland, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Kenneth Taylor, Petitioner, vs. R. H. Hudspeth, Warden. — On petition for writ of certiorari to the Supreme Court of the State of Kansas.

646, Misc.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of Kansas, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Frank C. Smith, Petitioner, vs. Joseph E. Ragen, Warden. — On petition for writ of certiorari to the Supreme Court of the State of Illinois.

647, Misc.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of Illinois, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

John D. Edwards, Petitioner, vs. Robert A. Heinze, Warden. — On petition for writ of certiorari to the Supreme Court of the State of California.

648, Misc.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of California, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

James Darden, Petitioner, vs. Joseph E. Ragen, Warden. — On petition for writ of certiorari to the Supreme Court of the State of Illinois.

649, Misc.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of Illinois, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Virgil Current, Petitioner, vs. Robert H. Hudspeth, Warden. — On petition for writ of certiorari to the Supreme Court of the State of Kansas.

650, Misc.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of Kansas, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Walter O. Noorlander, Petitioner, vs. The People of the State of California. — On petition for writ of certiorari to the Superior Court for the County of Los Angeles, State of California.

654, Misc.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Superior Court for the County of Los Angeles, State of California, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Glenn H. Goodman, Petitioner, vs. State of Iowa. — On petition for writ of certiorari to the Supreme Court of the State of Iowa.

656, Misc.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of Iowa, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Glenn H. Goodman, Petitioner, vs. Percy A. Lainson, Warden. — On petition for writ of certiorari to the District Court of Lee County of the State of Iowa.

657, Misc.

ON CONSIDERATION of the petition for a writ of certiorari herein to the District Court of Lee County of the State of Iowa, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Raymond Beckham Wright, Petitioner, vs. Joseph E. Ragen, Warden. — On petition for writ of certiorari to the Supreme Court of the State of Illinois.

658, Misc.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of Illinois, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Carl Kranz, Petitioner, vs. George W. Humphrey, Warden. — On petition for writ of certiorari to the United States Court of Appeals for the Third Circuit.

659, Misc.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Third Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Francis Joseph Gryger, Petitioner, vs. C. J. Burke, Warden. — On petition for writ of certiorari to the Supreme Court of the Commonwealth of Pennsylvania.

660, Misc.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the Commonwealth of Pennsylvania, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Charles Phillips, Petitioner, vs. Robert H. Hudspeth, Warden. — On petition for writ of certiorari to the Supreme Court of the State of Kansas.

662, Misc.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of Kansas, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Ralph H. Manchester, Petitioner, vs. The People of the State of California, et al.

663, Misc.

On petition for writ of certiorari to the Supreme Court of the State of California.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of California, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Charles Whalen and Carl Genske, Petitioners, vs. State of Michigan.

665, Misc.

On petition for writ of certiorari to the Supreme Court of the State of Michigan.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of Michigan, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Irwin Edelman, Petitioner, vs. People of the State of California.

666, Misc.

On petition for writ of certiorari to the Superior Court of Los Angeles County, Appellate Department, State of California.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Superior Court of Los Angeles County, Appellate Department, State of California, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Thomas Clark, Petitioner, vs. Ralph Eidson, Warden. — On petition for writ of certiorari to the Supreme Court of the State of Missouri.

667, Misc.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of Missouri, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Robert B. Kimbrel, Petitioner, vs. The United States of America. — On petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit.

669, Misc.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the District of Columbia Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

William J. Dessaure, Petitioner, vs. People of the State of New York. — On petition for writ of certiorari to the Court of Appeals of the State of New York.

673, Misc.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Court of Appeals of the State of New York, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Earl F. Hall, Petitioner, vs. State of Illinois. — On petition for writ of certiorari to the Supreme Court of the State of Illinois.

674, Misc.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of Illinois, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Maurice Peter Tennant, Petitioner, vs. Joseph E. Ragen, Warden. — On petition for writ of certiorari to the Supreme Court of the State of Illinois.

675, Misc.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of Illinois, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Albert W. Manning, Petitioner, vs. People of the State of Illinois. — On petition for writ of certiorari to the Supreme Court of the State of Illinois.

676, Misc.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of Illinois, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

John Cordts, Petitioner,
677, Misc. vs.
Joseph E. Ragen, Warden.

On petition for writ of certiorari to the Circuit Court of Will County, State of Illinois.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Circuit Court of Will County, State of Illinois, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Richard J. Williams, Petitioner,
678, Misc. vs.
People of the State of New York.

On petition for writ of certiorari to the Supreme Court of the State of New York.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of New York, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Maurice Meyer, Petitioner,
679, Misc. vs.
Joseph E. Ragen, Warden.

On petition for writ of certiorari to the Circuit Court of Will County, State of Illinois.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Circuit Court of Will County, State of Illinois, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson,

Victor Donald Wilde,

Petitioner,

680, Misc. vs.

People of the State of Wyoming.

On petition for writ of certiorari to the Supreme Court of the State of Wyoming.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of Wyoming, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Richard Chaney,

Petitioner,

451, Misc. vs.

The United States America.

ON CONSIDERATION of the motion for leave to file a petition for writ of certiorari in this case,

IT IS ORDERED by this Court that the said motion be, and it is hereby, denied.

Per Mr. Chief Justice Vinson.

Samuel J. Harma,

Petitioner,

561, Misc. vs.

The United States of America.

ON CONSIDERATION of the motion for leave to file a petition for writ of certiorari in this case,

IT IS ORDERED by this Court that the said motion be, and it is hereby, denied.

Per Mr. Chief Justice Vinson.

Walter J. Rought,

Petitioner,

612, Misc. vs.

The United States District Court for the Western District of Missouri.

ON CONSIDERATION of the motion for leave to file a petition for writ of mandamus herein,

IT IS ORDERED by this Court that the said motion be, and it is hereby, denied.

Per Mr. Chief Justice Vinson.

William Roy Miller,

Petitioner,

631, Misc. vs.

William H. Hiatt, Warden.

ON CONSIDERATION of the motion for leave to file a petition for writ of habeas corpus herein,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Carl Krepper,

Petitioner,

635, Misc. vs.

The United States of America.

ON CONSIDERATION of the motion for leave to file a petition for writ of habeas corpus herein,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Calvin Roberts,

Petitioner,

642, Misc. vs.

J. N. Prisbie, Warden, State Prison of Southern Michigan.

ON CONSIDERATION of the motion for leave to file a petition for writ of habeas corpus herein,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mary A. Ruthven,

Petitioner,

653, Misc. vs.

Dr. Winfred Overholser.

ON CONSIDERATION of the motion for leave to file a petition for writ of habeas corpus herein,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Charles Lee McIntosh,

Petitioner,

661, Misc. vs.

Tom C. Clark, Attorney General.

ON CONSIDERATION of the motion for leave to file a petition for writ of habeas corpus herein,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Clifford Pullins,

Petitioner,

664, Misc. vs.

R. W. Alvis, Warden.

ON CONSIDERATION of the motion for leave to file a petition for writ of habeas corpus herein,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Hugh Fincham,

Petitioner,

672, Misc. vs.

J. M. Lillard, Sheriff.

ON CONSIDERATION of the motion for leave to file a petition for writ of habeas corpus herein,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

James Bowling Edwards,

Petitioner,

670, Misc. vs.

Donald Clemmer, Director.

ON CONSIDERATION of the application submitted herein by James Bowling Edwards,

IT IS ORDERED by this Court that the said application be, and it is hereby, denied.

Per Mr. Chief Justice Vinson.

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ORDER

The Court will take a recess from today until Monday, June 27, next, on which day it will adjourn for the term unless otherwise ordered.

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Estate of William M. Hager, Deceased, Anna E. Hager and Janet Hager MacAllister, Executors, Petitioners, vs. Commissioner of Internal Revenue.

On petition for writ of certiorari to the United States Court of Appeals for the Third Circuit.

773

It appearing to the Court that counsel for the respective parties have filed a stipulation to dismiss the petition for writ of certiorari in this case.

Therefore, pursuant to said stipulation, it is ordered by this Court that the petition for writ of certiorari in this case, be, and it is hereby, dismissed.

Per Mr. Chief Justice Vinson.

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Proclamation being made the Court is adjourned until Monday, June 27, next, at 12 o'clock.

MONDAY, JUNE 27, 1949.

Pursuant to adjournment the Court met at the Supreme Court Building.

PRESENT:

The Honorable Fred M. Vinson, Chief Justice,
Hugo L. Black,
Stanley Reed,
Felix Frankfurter,
Frank Murphy,
Robert H. Jackson,
Wiley Rutledge,
Harold H. Burton. Associate Justices.

Thomas Ennalls Waggaman, Esquire, Marshal,

Charles Elmore Cropley, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Solicitor General Philip B. Perlman, It is ordered that John Tone Kelly, Esquire, of Chicago, State of Illinois, and Meyer R. Newman, Esquire, of Brooklyn, State of New York, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Estes Kefauver, It is ordered that Lon P. MacFarland, Esquire, of Columbia, State of Tennessee, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Robert Ash, It is ordered that John Y. Merrell, Esquire, of Washington, District of Columbia, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. William E. Jenner, It is ordered that Harlan L. Kays, Jr., Esquire, of Princeton, State of Indiana, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Norris C. Bakke, It is ordered that George O. Bakke, Esquire, of Denver, State of Colorado, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Brooks Hays, It is ordered that Tilghman E. Dixon, Esquire, of Little Rock, State of Arkansas, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Joseph A. Nacrelli, It is ordered that Arch B. Brown, Esquire, of Arlington, Commonwealth of Virginia, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Joseph C. Turco, It is ordered that James Shenos, Esquire, of Washington, District of Columbia, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Everett W. Mattoon, It is ordered that Paul E. Schwab, Esquire, of Beverly Hills, State of California, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Rhodes S. Baker, Jr., It is ordered that Robert T. Brinsmade, Esquire, of Dallas, State of Texas, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Joseph W. Bishop, Jr., It is ordered that David I. Lippert, Esquire, of Los Angeles, State of California, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Edward August Waldman, It is ordered that Earl Franklin Rowe, Esquire, of Lamar, State of Colorado, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Northcutt Ely, It is ordered that Arthur A. Jones, Esquire, of Los Angeles, State of California, and Fred J. Dudley, Esquire, of Costa Mesa, State of California, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Charles Sylvanus Rhyne, It is ordered that Robert Crafts, Esquire, of Akron, State of Ohio; Charles Handler, Esquire, of Newark, State of New Jersey; and Vincent J. Casale, Esquire, of Newark, State of New Jersey, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

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Securities and Exchange Commission,
Petitioner,
226 vs.
Central-Illinois Securities Corporation, C. A. Johnson, Lucille White and Frances Boehm;

Thomas W. Streeter, et al.,
Petitioners,
227 vs.
Central-Illinois Securities Corporation, C. A. Johnson, Lucille White and Frances Boehm;

On writs of certiorari to the United States Court of Appeals for the Third Circuit.

The Home Insurance Company and
Tradesmen's National Bank and
Trust Company,

Petitioners,

243 vs.

Central-Illinois Securities Corporation,
C. A. Johnson, Lucille White and Frances
Boehm; and

Central-Illinois Securities Corporation
and Christian A. Johnson,

Petitioners,

266 vs.

Securities and Exchange Commission, et al.

THIS CAUSE came on to be heard on the transcript of the record from the United States Court of Appeals for the Third Circuit and was argued by counsel.

ON CONSIDERATION WHEREOF, it is ordered and adjudged by this Court that the judgment of the said Court of Appeals, in this cause, be, and it is hereby, reversed. In Nos. 227 and 243 it is ordered that petitioners recover their taxable costs in this Court from Central-Illinois Securities Corporation, et al. The Engineers Public Service Company having paid for the cost of completing the printed record for the use of this Court, it is ordered that such cost be borne by that company.

IT IS FURTHER ORDERED that this cause, be, and it is hereby, remanded to the United States District Court for the District of Delaware for further proceedings in conformity with the opinion of this Court.

Per Mr. Justice Rutledge.

Mr. Justice Douglas and Mr. Justice Jackson took no part in the consideration or decision of this cause.

Virgil T. Brinegar, Petitioner, vs. The United States of America.

12

On writ of certiorari to the United States Court of Appeals for the Tenth Circuit.

THIS CAUSE came on to be heard on the transcript of the record from the United States Court of Appeals for the Tenth Circuit, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is now here ordered and adjudged by this Court that the judgment of the said United States Court of Appeals, in this cause, be, and the same is hereby, affirmed; and that this cause be, and the same is hereby, remanded to the United States District Court for the Northern District of Oklahoma.

Per Mr. Justice Rutledge.

Concurring opinion by Mr. Justice Burton.

Dissenting opinion by Mr. Justice Jackson in which Mr. Justice Frankfurter and Mr. Justice Murphy join.

Harold Roland Christoffel, Petitioner, vs. The United States of America.

528

On writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit.

THIS CAUSE came on to be heard on the transcript of the record from the United States Court of Appeals for the District of Columbia Circuit, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is now here ordered and adjudged by this Court that the judgment of the said United States Court of Appeals, in this cause, be, and the same is hereby, reversed; and that this cause be, and the same is hereby, remanded to the United States District Court for the District of Columbia for proceedings in conformity with the opinion of this Court.

Per Mr. Justice Murphy.

Dissenting opinion by Mr. Justice Jackson in which Mr. Chief Justice Vinson, Mr. Justice Reed, and Mr. Justice Burton join.

Kimball Laundry Company, Petitioner, vs. The United States of America. — On writ of certiorari to the United States Court of Appeals for the Eighth Circuit.

63

THIS CAUSE came on to be heard on the transcript of the record from the United States Court of Appeals for the Eighth Circuit, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is now here ordered and adjudged by this Court that the judgment of the said United States Court of Appeals, in this cause, be, and the same is hereby, reversed; and that this cause be, and the same is hereby, remanded to the United States District Court for the District of Nebraska for proceedings in conformity with the opinion of this Court.

Per Mr. Justice Frankfurter.

Concurring opinion by Mr. Justice Rutledge.

Dissenting opinion by Mr. Justice Douglas in which Mr. Chief Justice Vinson, Mr. Justice Black, and Mr. Justice Reed concur.

Julius A. Wolf, Petitioner, vs. The People of the State of Colorado. — On writ of certiorari to the Supreme Court of the State of Colorado.

17

THIS CAUSE came on to be heard on the transcript of the record from the Supreme Court of the State of Colorado, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is ordered and adjudged by this Court that the judgment of the said Supreme Court, in this cause, be, and the same is hereby, affirmed with costs.

Per Mr. Justice Frankfurter.

Concurring opinion by Mr. Justice Black.

Dissenting opinion by Mr. Justice Murphy in which Mr. Justice Rutledge joins.

Dissenting opinion by Mr. Justice Rutledge in which Mr. Justice Murphy joins.

Dissenting opinion by Mr. Justice Douglas.

Julius A. Wolf, Petitioner, vs. The People of the State of Colorado. — On writ of certiorari to the Supreme Court of the State of Colorado.

18

THIS CAUSE came on to be heard on the transcript of the record from the Supreme Court of the State of Colorado, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is ordered and adjudged by this Court that the judgment of the said Supreme Court, in this cause, be, and the same is hereby, affirmed with costs.

Per Mr. Justice Frankfurter.

Concurring opinion by Mr. Justice Black.

Dissenting opinion by Mr. Justice Murphy in which Mr. Justice Rutledge joins.

Dissenting opinion by Mr. Justice Rutledge in which Mr. Justice Murphy joins.

Dissenting opinion by Mr. Justice Douglas.

Robert A. Watts, Petitioner, vs. State of Indiana. — On writ of certiorari to the Supreme Court of the State of Indiana.

610

THIS CAUSE came on to be heard on the transcript of the record from the Supreme Court of the State of Indiana, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is ordered and adjudged by this Court that the judgment of the said Supreme Court, in this cause, be, and the same is hereby, reversed with costs; and that this cause, be, and it is hereby, remanded to the said Supreme Court for proceedings not inconsistent with the judgment of this Court.

Per Mr. Justice Frankfurter.

Mr. Justice Black concurs in the judgment.
Concurring opinion by Mr. Justice Douglas.
Opinion by Mr. Justice Jackson concurring in the result.

Dissenting: Mr. Chief Justice Vinson, Mr. Justice Reed, and Mr. Justice Burton.

Aaron Turner, Petitioner, vs. Commonwealth of Pennsylvania. 107

On writ of certiorari to the Supreme Court of the Commonwealth of Pennsylvania.

THIS CAUSE came on to be heard on the transcript of the record from the Supreme Court of the Commonwealth of Pennsylvania, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is ordered and adjudged by this Court that the judgment of the said Supreme Court, in this cause, be, and the same is hereby, reversed with costs; and that this cause, be, and the same is hereby, remanded to the said Supreme Court for proceedings not inconsistent with the judgment of this Court.

Per Mr. Justice Frankfurter.

Mr. Justice Black concurs in the judgment.
Concurring opinion by Mr. Justice Douglas.

Dissenting: Mr. Chief Justice Vinson, Mr. Justice Reed, and Mr. Justice Burton.
Dissenting opinion by Mr. Justice Jackson.

L. D. Harris, Petitioner, vs. State of South Carolina. 76

On writ of certiorari to the Supreme Court of the State of South Carolina.

THIS CAUSE came on to be heard on the transcript of the record from the Supreme Court of the State of South Carolina, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is ordered and adjudged by this Court that the judgment of the said Supreme Court, in this cause, be, and the same is hereby, reversed with costs; and that this cause, be, and the same is hereby, remanded to the said Supreme Court for proceedings not inconsistent with the judgment of this Court.

Per Mr. Justice Frankfurter.

Mr. Justice Black concurs in the judgment.
Concurring opinion by Mr. Justice Douglas.

Dissenting: Mr. Chief Justice Vinson, Mr. Justice Reed, and Mr. Justice Burton.
Dissenting opinion by Mr. Justice Jackson.

Emil Lustig, Alias Dr. Edward E. Fisher, Petitioner,
1389 O.T. 1946 vs.
The United States of America.

On writ of certiorari to the United States Court of Appeals for the Third Circuit.

THIS CAUSE came on to be heard on the transcript of the record from the United States Court of Appeals for the Third Circuit, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is now here ordered and adjudged by this Court that the judgment of the said United States Court of Appeals, in this cause, be, and the same is hereby, reversed; and that this cause be, and the same is hereby, remanded to the United States District Court for the District of New Jersey for proceedings in conformity with the judgment of this Court.

Per Mr. Justice Frankfurter.

Mr. Justice Black concurs in the judgment.
Concurring opinion by Mr. Justice Murphy in which Mr. Justice Douglas and Mr. Justice Rutledge join.

Dissenting opinion by Mr. Justice Reed in which Mr. Chief Justice Vinson, Mr. Justice Jackson, and Mr. Justice Burton join.

Edward Gibbs, Petitioner,
418 vs.
C. J. Burke, Warden, Eastern State Penitentiary, Philadelphia, Pennsylvania.

On writ of certiorari to the Supreme Court of the Commonwealth of Pennsylvania.

THIS CAUSE came on to be heard on the transcript of the record from the Supreme Court of the Commonwealth of Pennsylvania, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is ordered and adjudged by this Court that the judgment of the said Supreme Court, in this cause, be, and the same is hereby, reversed with costs; and that this cause, be, and the same is hereby, remanded to the said Supreme Court for proceedings not inconsistent with the opinion of this Court.

Per Mr. Justice Reed.

Mr. Justice Black and Mr. Justice Douglas concur in the judgment of the Court.
Mr. Justice Murphy and Mr. Justice Rutledge concur in the result.

Cosmopolitan Shipping Company, Inc., Petitioner,

351 vs.

Robert A. McAllister.

On writ of certiorari to the United States Court of Appeals for the Second Circuit.

THIS CAUSE came on to be heard on the transcript of the record from the United States Court of Appeals for the Second Circuit, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is now here ordered and adjudged by this Court that the judgment of the said United States Court of Appeals, in this cause, be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the United States District Court for the Southern District of New York for proceedings in conformity with the opinion of this Court.

Per Mr. Justice Reed.

Dissenting: Mr. Justice Black, Mr. Justice Douglas, Mr. Justice Murphy, and Mr. Justice Rutledge.

Lillian A. Weade, Frederick M. Weade and Roberta L. Steinmeyer, Petitioners,

179 vs.

Dichmann, Wright & Pugh, Incorporated.

On writ of certiorari to the United States Court of Appeals for the Fourth Circuit.

THIS CAUSE came on to be heard on the transcript of the record from the United States Court of Appeals for the Fourth Circuit, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is now here ordered and adjudged by this Court that the judgment of the said United States Court of Appeals, in this cause, be, and the same is hereby, modified as indicated in the opinion of this Court and, as so modified, affirmed with costs; and that this cause be, and the same is hereby, remanded to the United States District Court for the Eastern District of Virginia.

Per Mr. Justice Reed.

Dissenting: Mr. Justice Black, Mr. Justice Douglas, Mr. Justice Murphy, and Mr. Justice Rutledge.

Fred W. Pink, Petitioner, vs. Shepard Steamship Company. — On writ of certiorari to the Supreme Court of the State of Oregon.

360

THIS CAUSE came on to be heard on the transcript of the record from the Supreme Court of the State of Oregon, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is ordered and adjudged by this Court that the judgment of the said Supreme Court, in this cause, be, and the same is hereby, affirmed with costs.

Per Mr. Justice Reed.

Dissenting: Mr. Justice Black, Mr. Justice Douglas, Mr. Justice Murphy, and Mr. Justice Rutledge.

Isaac Gaynor, Petitioner, vs. Agwilines, Inc. — On writ of certiorari to the United States Court of Appeals for the Third Circuit.

430

THIS CAUSE came on to be heard on the transcript of the record from the United States Court of Appeals for the Third Circuit, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is now here ordered and adjudged by this Court that the judgment of the said United States Court of Appeals, in this cause, be, and the same is hereby, affirmed; and that this cause be, and the same is hereby, remanded to the United States District Court for the Eastern District of Pennsylvania.

Per Mr. Justice Reed.

Dissenting: Mr. Justice Black, Mr. Justice Douglas, Mr. Justice Murphy, and Mr. Justice Rutledge.

Jess Larson, as War Assets Administrator and Surplus Property Administrator,
Petitioner,
vs.
Domestic and Foreign Commerce Corporation.

On writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit.

31

THIS CAUSE came on to be heard on the transcript of the record from the United States Court of Appeals for the District of Columbia Circuit, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is now here ordered and adjudged by this Court that the judgment of the said United States Court of Appeals, in this cause, be, and the same is hereby, reversed; and that this cause be, and the same is hereby, remanded to the United States District Court for the District of Columbia for proceedings in conformity with the opinion of this Court.

Per Mr. Chief Justice Vinson.

Mr. Justice Rutledge concurs in the result.

Dissenting: Mr. Justice Jackson.
Dissenting opinion by Mr. Justice Frankfurter in which Mr. Justice Burton concurs.

Commissioner of Internal Revenue,
Petitioner,
vs.
W. O. Culbertson, Sr., and Gladys Culbertson.

On writ of certiorari to the United States Court of Appeals for the Fifth Circuit.

313

THIS CAUSE came on to be heard on the transcript of the record from the United States Court of Appeals for the Fifth Circuit, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is now here ordered and adjudged by this Court that the judgment of the said United States Court of Appeals, in this cause, be, and the same is hereby, reversed; and that this cause be, and the same is hereby, remanded to the said Court of Appeals with directions to remand the cause to the Tax Court for further proceedings in conformity with the opinion of this Court.

Per Mr. Chief Justice Vinson.

Statement by Mr. Justice Black and Mr. Justice Rutledge acquiescing in the Court's opinion and judgment.
Statement by Mr. Justice Burton concurring.
Concurring opinion by Mr. Justice Frankfurter.
Dissenting: Mr. Justice Jackson.

The Farmers Reservoir and Irrigation Company,

Petitioner,

128 vs.

William R. McComb, Administrator of the Wage and Hour Division of the United States Department of Labor; and

William R. McComb, Administrator of the Wage and Hour Division of the United States Department of Labor,

Petitioner,

196 vs.

The Farmers Reservoir and Irrigation Company.

On writs of certiorari to the United States Court of Appeals for the Tenth Circuit.

THIS CAUSE came on to be heard on the transcript of the record from the United States Court of Appeals for the Tenth Circuit, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is now here ordered and adjudged by this Court that the judgment of the said United States Court of Appeals, in this cause, be, and the same is hereby, modified as indicated in the opinion of this Court and, as so modified, affirmed; and that this cause be, and the same is hereby, remanded to the United States District Court for the District of Colorado.

Per Mr. Chief Justice Vinson.

Concurring opinion by Mr. Justice Frankfurter.
Dissenting opinion by Mr. Justice Jackson.

Gerhart Eisler,

Petitioner,

255 vs.

The United States of America.

On writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit.

PER CURIAM.

Petitioner's flight from the country after the grant of his petition for writ of certiorari and after the submission of his cause on the merits necessitates a decision as to the disposition now to be made of this case. Since the petitioner by his own volition may have rendered moot any judgment on the merits, we must, as a matter of our own practice, decide

whether the submission should be set aside and the writ of certiorari dismissed or whether we should postpone review indefinitely by ordering the case removed from the docket, pending the return of the fugitive.

Our practice, however, has been to order such cases to be removed from the docket. Smith v. United States, 94 U. S. 97; Bonahan v. Nebraska, 125 U. S. 692. We adhere to those precedents. Accordingly after this term the cause will be left off the docket until a direction to the contrary shall issue.

While Mr. Justice Burton has not participated in the consideration of the merits of this case, he has participated in this procedural action based upon the memorandum filed by the United States of America calling the attention of the Court to the petitioner's flight from justice.

Dissenting opinion by Mr. Justice Frankfurter in which Mr. Chief Justice Vinson joins.
Dissenting opinion by Mr. Justice Murphy.
Dissenting opinion by Mr. Justice Jackson.

Koki Hirota,

Petitioner,

239, Misc. vs.

General of the Army Douglas MacArthur, et al.;

Kenji Dohihara,

Petitioner,

240, Misc. vs.

General of the Army Douglas MacArthur, et al.; and

Koichi Kido, et al.,

Petitioners,

248, Misc. vs.

General of the Army Douglas MacArthur, et al.

Concurring opinion by Mr. Justice Douglas announced by Mr. Chief Justice Vinson. (Opinion of Court was handed down December 20, 1948.)

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The Chief Justice announced the following orders of the Court:

Central States Cooperatives, Inc., Petitioner, vs. Watson Bros. Transportation Company, Inc. — Order allowing certiorari.

43

The petition herein for a writ of certiorari to the United States Court of Appeals for the Seventh Circuit is granted.

And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

Central States Cooperatives, Inc., Petitioner, vs. Watson Bros. Transportation Company, Inc. — On writ of certiorari to the United States Court of Appeals for the Seventh Circuit.

43

THIS CAUSE came on to be heard on the transcript of the record from the United States Court of Appeals for the Seventh Circuit, and was duly submitted.

ON CONSIDERATION WHEREOF, It is now here ordered and adjudged by this Court that the judgment of the said United States Court of Appeals, in this cause, be, and the same is hereby, vacated without costs to either party in this Court; and that this cause be, and the same is hereby, remanded to the said Court of Appeals for further consideration in the light of National Mutual Insurance Co. vs. Tidewater Transfer Co., No. 29, October Term, 1948, decided June 20, 1949.

Per Mr. Chief Justice Vinson.

United States Gypsum Company, Appellant, vs. C. Emory Glander, Tax Commissioner of Ohio. Appeal from the Supreme Court of the State of Ohio.

493

THIS CAUSE came on to be heard on the transcript of the record from the Supreme Court of the State of Ohio, and was duly submitted.

ON CONSIDERATION WHEREOF, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court, in this cause, be, and the same is hereby, vacated without costs to either party in this Court.

IT IS FURTHER ORDERED that this cause be, and the same is hereby, remanded to the said Supreme Court in order to enable it to reexamine its decision in the light of Wheeling Steel Corporation and National Distillers Products Corporation vs. Glander, Nos. 447 and 448, October Term, 1948, decided June 20, 1949.

Per Mr. Chief Justice Vinson.

Dissenting: Mr. Justice Black.

United States Gypsum Company, Appellant, vs. C. Emory Glander, Tax Commissioner, State of Ohio. Appeal from the Supreme Court of the State of Ohio.

494

THIS CAUSE came on to be heard on the transcript of the record from the Supreme Court of the State of Ohio, and was duly submitted.

ON CONSIDERATION WHEREOF, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court, in this cause, be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the said Supreme Court for proceedings not inconsistent with the opinion of this Court in Wheeling Steel Corporation and National Distillers Products Corporation v. Glander, Nos. 447 and 448, October Term, 1948, decided June 20, 1949.

Per Mr. Chief Justice Vinson.

Dissenting: Mr. Justice Black.

Ajax Trucking Company, Inc., Appellant, vs. Rollin Browne, et al., as and Constituting the State Tax Commission of the State of New York.

Appeal from the Court of Appeals of the State of New York.

604

THIS CAUSE came on to be heard on the transcript of the record from the Court of Appeals of the State of New York, and was duly submitted.

ON CONSIDERATION WHEREOF, It is now here ordered by this Court that the appeal herein be, and the same is hereby, dismissed.

Per Mr. Chief Justice Vinson.

Great Lakes Steel Corporation, Appellant, vs. The United States of America, Interstate Commerce Commission, et al.

Appeal from the United States District Court for the Eastern District of Michigan.

749

THIS CAUSE came on to be heard on the transcript of the record from the United States District Court for the Eastern District of Michigan, and was duly submitted.

ON CONSIDERATION THEREOF, It is ordered, adjudged, and decreed by this Court that the decree of the said District Court in this cause be, and the same is hereby, reversed; and that this cause be, and the same is hereby, remanded to the said District Court for proceedings in conformity with the opinion of this Court in the case of United States vs. Interstate Commerce Commission, No. 330, October Term, 1948, decided June 20, 1949.

Per Mr. Chief Justice Vinson.

Dissenting: Mr. Justice Frankfurter, Mr. Justice Jackson, and Mr. Justice Burton.

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The Chief Justice said:

"The other orders of the Court appear upon the list certified by the Chief Justice and filed with the clerk and will not be announced orally."

The United States of America,

Complainant,

12, Original vs.

The State of California.

The report of the Special Master is received and ordered filed.

Per Mr. Chief Justice Vinson.

The United States of America,

Complainant,

12, Original vs.

The State of California.

The order of February 12, 1949, appointing William H. Davis, Esquire, of New York City, Special Master herein is continued and he is directed to proceed with all convenient speed, with respect to the seven coastal segments enumerated in Groups I and II of the Master's Report, to consider: (1) a simplification of the issues; (2) statements of the issues and amendments thereto in the nature of pleadings; (3) the nature and form of evidence proposed to be submitted, including admission of facts and of documents which will avoid unnecessary proof; and report thereon to the Court.

Should the office of Master become vacant during the recess of the Court, the Chief Justice shall have authority to make a new designation which shall have the same effect as if originally made by the Court herein.

Per Mr. Chief Justice Vinson.

Mr. Justice Jackson took no part in the consideration or decision of this question.

Tom C. Clark, Attorney General, as Successor to the Alien Property Custodian,

Petitioner,

386 vs.

Manufacturers Trust Company.

On petition for writ of certiorari to the United States Court of Appeals for the Second Circuit.

ON CONSIDERATION of the motion for leave to file a petition for rehearing and of the petition for rehearing in this case,

IT IS ORDERED by this Court that the motion for leave to file and the petition for rehearing, be, and they are hereby, granted. The order entered January 17, 1949, denying certiorari is vacated and the petition for writ of certiorari is granted.

AND IT IS FURTHER ORDERED that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

Manufacturers Trust Company,
Petitioner,
443 vs.
Tom C. Clark, Attorney General, as Successor to the Alien Property Custodian.

On petition for writ of certiorari to the United States Court of Appeals for the Second Circuit.

ON CONSIDERATION of the motion for leave to file a petition for rehearing and of the petition for rehearing in this case,

IT IS ORDERED by this Court that the motion for leave to file and the petition for rehearing, be, and they are hereby, granted. The order entered January 17, 1949, denying certiorari is vacated and the petition for writ of certiorari is granted.

AND IT IS FURTHER ORDERED that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

Eugene Dennis,
Petitioner,
436 vs.
The United States of America.

Order allowing certiorari.

The petition herein for a writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit is granted, limited to the question whether government employees could properly serve on the jury which tried petitioner. The case is transferred to the summary docket.

And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

Mr. Justice Burton took no part in the consideration or decision of this application.

Eugene Dennis,

Petitioner,

436 vs.

The United States of America.

ON CONSIDERATION of the motion for leave to file brief of Paul Robeson, et al., as amici curiae in this case,

IT IS ORDERED by this Court that the said motion be, and it is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Burton took no part in the consideration or decision of this motion.

Leroy Graham, et al., Order allowing certiorari.

Petitioners,

452 vs.

Brotherhood of Locomotive Firemen and Enginemen.

The petition herein for a writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit is granted. The case is assigned for argument on Monday, October 10, 1949.

And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

Leroy Graham, et al.,

Petitioners,

452 vs.

Brotherhood of Locomotive Firemen and Enginemen.

ON CONSIDERATION of the motion of counsel for petitioners to vacate the stay entered by the Court of Appeals and to reinstate the injunction granted by the District Court in this case,

IT IS ORDERED by this Court that the said motion be, and it is hereby, denied.

Per Mr. Chief Justice Vinson.

Jesse Miller Sinclair, Order allowing certiorari.

Petitioner,

783 vs.

The United States of America.

The petition herein for a writ of certiorari to the United States Court of Appeals for the Third Circuit is granted. The case is transferred to the summary docket.

And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

John E. Manning, as Collector of Internal Revenue for the Fifth District of New Jersey, Order allowing certiorari.

Petitioner,

787 vs.

Seeley Tube and Box Company, a Corporation of the State of New Jersey.

The petition herein for a writ of certiorari to the United States Court of Appeals for the Third Circuit is granted.

And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Julia Rhoda Aaron, etc., et al., Order allowing certiorari.

Petitioners,

809 vs.

Ford, Bacon and Davis, Incorporated.

The petition herein for a writ of certiorari to the United States Court of Appeals for the Eighth Circuit is granted. The case is assigned for argument immediately following Creel vs. Lone Star Defense Corporation, No. 746, October Term, 1948.

And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

The United States of America, ex rel.
Otto A. Willumeit,

Petitioner,

817 vs.

W. F. Watkins, District Director, etc.

ON CONSIDERATION of the motion to dispense with printing the petition and record in this case,

IT IS ORDERED by this Court that the said motion be, and it is hereby, granted.

Per Mr. Chief Justice Vinson.

The United States of America, ex rel. Order allowing certiorari.
Otto A. Willumeit,

Petitioner,

817 vs.

W. F. Watkins, District Director,
Immigration and Naturalization Service.

The petition herein for a writ of certiorari to the United States Court of Appeals for the Second Circuit is granted.

And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

The United States of America, ex rel. Richard Eichenlaub,

Petitioner,

260 vs.

W. Frank Watkins, as District Director of Immigration and Naturalization of the United States for the District of New York, etc.

Order allowing certiorari.

The petition herein for a writ of certiorari to the United States Court of Appeals for the Second Circuit is granted. The order of November 15, 1948, denying certiorari is vacated. The case is assigned for argument immediately following Willumeit v. Watkins, No. 817, October Term, 1948.

And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

Thomas W. Fong, James Lee Hing and Joseph Bauer,

Petitioners,

71 vs.

Superior Court of the State of Washington for King County, Honorable J. T. Ronald, Judge.

On petition for writ of certiorari to the Supreme Court of the State of Washington.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of Washington, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

The United States of America, ex rel. Murad A. Sutton,

Petitioner,

178 vs.

James Mulcahy, United States Marshal for the Southern District of New York, et al.

On petition for writ of certiorari to the United States Court of Appeals for the Second Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Second Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

A. F. Wagner Iron Works and Wagner Engineering Company,

Petitioners,

391 vs.

War Assets Administration, et al., etc.

On petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Seventh Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Otto A. Kohl,

Petitioner,

509 vs.

Commissioner of Internal Revenue.

On petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Eighth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Hyman Moore,

Petitioner,

525 vs.

Commissioner of Internal Revenue.

On petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Fourth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Herman Becker, Petitioner,
641 vs.
Commonwealth of Virginia.

On petition for writ of certiorari to the Supreme Court of Appeals of the Commonwealth of Virginia.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of Appeals of the Commonwealth of Virginia, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Emetia Polizio, Alias Joe Pledge, Petitioner,
675 vs.
The People of the State of New York.

On petition for writ of certiorari to the Court of Appeals of the State of New York.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Court of Appeals of the State of New York, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

John R. Stinnett, Petitioner,
703 vs.
The United States of America.

On petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Fourth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Joseph Paterno and Pasquale Masi, Petitioners,

779 vs.

The United States of America.

On petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Fifth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

W. G. Duncan, Transferee of San Antonio Driverless Co., Inc., Petitioner,

781 vs.

Commissioner of Internal Revenue.

On petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Fifth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Evelyn Campbell, Petitioner,

784 vs.

The United States of America.

On petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Fifth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Irving Fainblatt,
Petitioner,
795 vs.
Commissioner of Internal Revenue.

On petition for writ of certiorari to the United States Court of Appeals for the Second Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Second Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Leon Fainblatt,
Petitioner,
796 vs.
Commissioner of Internal Revenue.

On petition for writ of certiorari to the United States Court of Appeals for the Second Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Second Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Graylyn Bainbridge Corporation,
Petitioner,
799 vs.
Tighe E. Woods, Housing Expediter, Office of Housing Expediter.

On petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Eighth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Missouri-Kansas-Texas Railroad Company of Texas,

Petitioner,

804 vs.

The United States of America, ex rel. Jewell G. Deavers.

On petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Fifth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

The Carter Oil Company,

Petitioner,

810 vs.

Harlan B. Ramsey and Ruby Ramsey.

On petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Seventh Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Helen E. Parmakis,

Petitioner,

818 vs.

Eleanor T. Parmakis and United States of America.

On petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the District of Columbia Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Gerhart Eisler,
Petitioner,
845 vs.
The United States of America.

On petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the District of Columbia Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Empire Packing Company and Samuel Chapman,
Petitioners,
860 vs.
The United States of America.

On petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Seventh Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

James T. Keating,
Petitioner,
877 vs.
The United States of America.

On petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Seventh Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Commissioner of Internal Revenue,
Petitioner,
520 vs.
L. B. Hartz.

On petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Eighth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Black is of the opinion the petition should be granted.

Fitz Simons and Connell Dredge and Dock Co.,
Petitioner,
843 vs.
Charles Mullen; and

Fitz Simons and Connell Dredge and Dock Co.,
Petitioner,
844 vs.
Erwin Savela.

ON CONSIDERATION of the motion to dispense with printing the petition and record in these cases,

IT IS ORDERED by this Court that the said motion be, and it is hereby, granted.

Per Mr. Chief Justice Vinson.

Fitz Simons and Connell Dredge and Dock Co.,
Petitioner,
843 vs.
Charles Mullen.

On petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Seventh Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Fitz Simons and Connell Dredge and Dock Co.,

Petitioner,

844 vs.

Erwin Savela.

On petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Seventh Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Margaret C. Donovan,

Petitioner,

156 vs.

Queensboro Corporation, Garden Housing Corporation, et al.; and

Margaret C. Donovan,

Petitioner,

49, Misc. vs.

Queensboro Corporation, et al.

ON CONSIDERATION of the motion for leave to file a petition for rehearing in these cases,

IT IS ORDERED by this Court that the said motion be, and it is hereby, denied.

Per Mr. Chief Justice Vinson.

Burnham Chemical Company,

Petitioner,

513 vs.

Borax Consolidated, Ltd., et al.

ON CONSIDERATION of the motion for an extension of time within which to file a second petition for rehearing in this case,

IT IS ORDERED by this Court that the said motion be, and it is hereby, denied.

Per Mr. Chief Justice Vinson.

A. B. Momand,

Petitioner,

647 vs.

Universal Film Exchanges, Inc., et al.

A second petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Samuel Titto Williams,

Appellant,

671 vs.

The People of the State of New York.

ON CONSIDERATION of the petition for rehearing and the motion for a stay of the mandate in this case,

IT IS ORDERED by this Court that the petition for rehearing and motion for stay of the mandate be, and they are hereby, denied.

Per Mr. Chief Justice Vinson.

Ib Chr Sonnesen,

Petitioner,

708 vs.

Panama Transport Company.

ON CONSIDERATION of the motion to enlarge the time to file a petition for rehearing in this case,

IT IS ORDERED by this Court that the said motion be, and it is hereby, denied.

Per Mr. Chief Justice Vinson.

Estella Latta, et al.,

Petitioners,

788 vs.

Western Investment Company, et al.

ON CONSIDERATION of the motion for an extension of time within which to file a petition for rehearing in this case,

IT IS ORDERED by this Court that the said motion be, and it is hereby, granted and the time is extended to and including September 3, 1949.

Per Mr. Chief Justice Vinson.

Mary V. Doles,

Appellant,

805 vs.

Metropolitan Life Insurance Company.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Donald E. Hasson,

Petitioner,

425, Misc. vs.

The United States of America.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Fred Tate,

Petitioner,

437, Misc. vs.

People of the State of California.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Maude Pridgen Butler,

Petitioner,

489, Misc. vs.

S. A. Penix, Receiver.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Albert J. Palardy, Petitioner, On petition for writ of certiorari to the United States Court of Appeals for the Third Circuit.

186, Misc. vs.

American-Hawaiian Steamship Co.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Third Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

John K. Aird, Petitioner, vs. Weyerhaeuser Steamship Co. — On petition for writ of certiorari to the United States Court of Appeals for the Third Circuit.

291, Misc.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Third Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

George Thomas, Petitioner, vs. Furness (Pacific) Limited, a Corporation, et al. — On petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit.

634, Misc.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Ninth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Walter McDonald, Petitioner, vs. E. B. Swope, Warden. — On petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit.

651, Misc.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Ninth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Herbert McCormick, Petitioner, vs. The State of Michigan.

On petition for writ of certiorari to the Supreme Court of the State of Michigan.

671, Misc.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of Michigan, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Robert E. Hinton, Petitioner, vs. Curtis Reid, Superintendent.

On petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit.

681, Misc.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the District of Columbia Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Clifford Bramble, Petitioner, vs. People of the State of California, et al.

On petition for writ of certiorari to the Supreme Court of the State of California.

682, Misc.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of California, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Charles Westbrook, Petitioner, vs. Joseph E. Ragen, Warden.

684, Misc.

On petition for writ of certiorari to the Circuit Court of Christian County of the State of Illinois.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Circuit Court of Christian County of the State of Illinois, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Salvatore Maimone, Petitioner, vs. United States of America.

685, Misc.

On petition for writ of certiorari to the United States Court of Appeals for the Second Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Second Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Richard Kamrowski, Petitioner, vs. Joseph E. Ragen, Warden.

687, Misc.

On petition for writ of certiorari to the Criminal Court of Cook County of the State of Illinois.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Criminal Court of Cook County of the State of Illinois, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Joseph Bassinger,
Petitioner,
688, Misc. vs.
State of Illinois.

On petition for writ of certiorari to the Supreme Court of the State of Illinois.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of Illinois, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Harry Holderfield,
Petitioner,
690, Misc. vs.
Joseph E. Ragen, Warden.

On petition for writ of certiorari to the Circuit Court of Franklin County of the State of Illinois.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Circuit Court of Franklin County of the State of Illinois, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

United States of America, ex rel. John B. Rooney and Henry P. Berry,
Petitioners,
691, Misc. vs.
Joseph E. Ragen, Warden.

On petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Seventh Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Samuel D. Collins,

Petitioner,

692, Misc. vs.

Clinton T. Duffy, Warden.

On petition for writ of certiorari to the Supreme Court of the State of California.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of California, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Cecil Lee Edgeman,

Petitioner,

683, Misc. vs.

R. W. Alvis, Warden.

ON CONSIDERATION of the motion for leave to file a petition for writ of habeas corpus herein,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Sylvester Brown,

Petitioner,

689, Misc. vs.

State of Minnesota.

ON CONSIDERATION of the motion for leave to file a petition for writ of habeas corpus herein,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

In the Matter of Friedrich Felsch,

686, Misc. Petitioner.

Treating the application in this case as a motion for leave to file a petition for an original writ of habeas corpus, leave to file is denied.

Per Mr. Chief Justice Vinson.

The Chief Justice, Mr. Justice Reed, Mr. Justice Frankfurter, and Mr. Justice Burton are of the opinion that there is want of jurisdiction. United States Constitution, Article III, section 2, clause 2; see Ex parte Betz and companion cases, all 329 U. S. 672 (1946); Milch v. United States, 332 U. S. 789 (1947); Brandt v. United States, 333 U. S. 836 (1948).

Mr. Justice Black, Mr. Justice Douglas, Mr. Justice Murphy, and Mr. Justice Rutledge are of the opinion that argument should be heard on the motion for leave to file the petition in order to settle what remedy, if any, the petitioner has.

Mr. Justice Jackson took no part in the consideration or decision of this application.

The Chief Justice announced the following order:

"All cases submitted and all business before the Court at this term in readiness for disposition having been disposed of,

"It is ordered by this Court that all cases on the docket be, and they hereby are, continued to the next term."

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Proclamation being made the Court is adjourned to the time and place appointed by law.

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MINUTES OF THE SUPREME COURT OF THE UNITED STATES, OCTOBER TERM, 1949.

At the Supreme Court Building, in the City of Washington, and District of Columbia, being the present Seat of the National Government of the United States, on the first Monday in October (being the third day of the same month) in the year of our Lord one thousand, nine hundred and forty-nine and of the Independence of the United States the one hundred and seventy-fourth, The Supreme Court of the United States met agreeably to law.

PRESENT:

The Honorable Fred M. Vinson, Chief Justice,
Hugo L. Black,
Stanley Reed,
Felix Frankfurter,
Robert H. Jackson,
Harold H. Burton,
Tom C. Clark. Associate Justices.

Thomas Ennalls Waggaman, Esquire, Marshal,
Charles Elmore Cropley, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Attorney General J. Howard McGrath, It is ordered that Benjamin I. Shulman, Esquire, of Providence, State of Rhode Island, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Hale Boggs, It is ordered that Bentley C. Byrnes, Esquire, of New Orleans, State of Louisiana, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Solicitor General Philip B. Perlman, It is ordered that William F. Norton, Jr., Esquire of Hackensack, State of New Jersey; John J. O'Keefe, Esquire, of Windsor, State of Connecticut; and William Henry McGowen, Esquire, of Birmingham, State of Alabama, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Elmer Thomas, It is ordered that James W. Spurr, Esquire, of Shawnee, State of Oklahoma, and Clyde G. Pitman, Esquire, of Shawnee, State of Oklahoma, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Elmore Whitenurst, It is ordered that Frank DeBartolo, Esquire, of Chicago, State of Illinois, and Herbert M. Wetzel, Esquire, of Chicago, State of Illinois, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. William G. Stigler, It is ordered that Earl Boyd Pierce, Esquire, of Muskogee, State of Oklahoma, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. James Hardin Peterson, It is ordered that Cecil Thomas Dees, Esquire, of Alexandria, Commonwealth of Virginia, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. William J. Houston, It is ordered that William H. Brown, Esquire, of College Park, State of Maryland, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Gaylord S. Gilbert, It is ordered that Van Holmgren Tanner, Esquire, of Wellesley, Commonwealth of Massachusetts, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Claudius Oscar Wolfe, It is ordered that Burton A. Koffler, Esquire, of New York, State of New York, and Robert J. Rubacky, Esquire, of Jersey City, State of New Jersey, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Walter R. Johnson, It is ordered that Artie P. Stephens, Esquire, of Sulphur Springs,

State of Texas, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Milton Kramer, It is ordered that Morris M. Doyle, Esquire, of San Francisco, State of California, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Al. Philip Mann, It is ordered that Glenn V. Walls, Esquire, of Sacramento, State of California, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. James L. Morrisson, It is ordered that J. Roger Wollenberg, Esquire, of San Francisco, State of California, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Wm. M. Briggs, It is ordered that Edgar W. Theus, Esquire, of Oklahoma City, State of Oklahoma, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. A. Karl Meyner, It is ordered that William M. Dorsey, Jr., Esquire, of Arlington, Commonwealth of Virginia, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Arthur B. Hanson, It is ordered that Paul M. Gantt, Esquire, of Williamsburg, Commonwealth of Virginia, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Carl I. Wheat, It is ordered that Ben M. Lerer, Esquire, of San Francisco, State of California, and Ernestine Stahlhut, of Los Angeles, State of California, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

(Miss)

On motion first made to the Court in this behalf by Mr. Benjamin M. Pester, It is ordered that Lloyd F. Cooper, Esquire, of Wichita, State of Kansas, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Robert Llewellyn Wright, It is ordered that Joseph J. McGovern, Esquire, of Boston, Commonwealth of Massachusetts, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Thurman W. Arnold, It is ordered that David Hume, Esquire, of Eagle Pass, State of Texas, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

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The Chief Justice said:

"Since last this Court convened we have been saddened by the untimely deaths of Mr. Justice Murphy and Mr. Justice Rutledge. These tragic losses to the Court and the Nation are the more keenly felt because our brothers were stricken in the fullness of their great powers of mind and spirit, which were ever applied with selfless devotion to the work of the Court. In addition, we must contemplate the end of personal associations made precious by the courtesy, warmth, and friendliness that marked their every word and deed.

"Frank Murphy devoted his life to public service. Except for one 3-year period, his career, from the time of his Army service during the first World War until his death 32 years later, was one of service to his city, State, and Nation. During that time he held the positions of Assistant United States Attorney, Judge of the Recorder's Court of the City of Detroit, Mayor of Detroit, Governor General and then United States High Commissioner of the Philippine Islands, Governor of Michigan, Attorney General of the United States, and Associate Justice of this Court. In each of these positions of high trust and honor, Justice Murphy displayed a tenacity of conviction and devotion to ideals that earned for him the respect and admiration of all. Though gentle and kindly of temperament, in defense of the funda-

mental rights of the accused and the underprivileged his spirit was that of a warrior. His passionate defense of the rights of minorities whose principles were anathema to him will stand as a monument to his honesty, integrity, and valor.

"Wiley Blount Rutledge was a teacher until he took his seat on the bench. After conquering disease that early threatened his life, he taught successively at the law schools of the University of Colorado, Washington University at St. Louis, and the University of Iowa. At the two Universities last named, he assumed the additional burdens of the Deanship. He was appointed to serve on the United States Court of Appeals for the District of Columbia in 1939. In 1943 he took his seat on this bench. Beloved of his students, he became beloved of us all. His friendship was a source of great joy while he lived; it is a source of great pride now that he is gone. It was said of Mr. Justice Cardozo that he had a 'passion for justice.' No epitaph could be more fitting for Justice Rutledge, nor would he have wanted any other. His search for the right, the just, and the decent was unremitting. His devotion to this task so overtaxed his strength that he was taken from us in the prime of his years. But in our memories he remains--a revered teacher, a wise judge, and a faithful friend.

"Saddened by our losses but inspired by the examples of devotion to duty which Mr. Justice Murphy and Mr. Justice Rutledge have provided for us, we turn to the work before us. At an appropriate time, the Court will receive the resolutions of the Bar in tribute to their memory."

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The Chief Justice said:

"Since the adjournment of the Court in June the President has nominated and, with the advice and consent of the Senate, has appointed Attorney General Tom C. Clark, of Texas, to be an Associate Justice of this Court in succession to Associate Justice Frank Murphy, deceased. He has presented his commission and has taken the oaths prescribed by law. It is ordered that his commission be recorded and that his oaths be filed."

The commission of Mr. Justice Clark is in the words and figures following, viz:

"HARRY S. TRUMAN,

PRESIDENT OF THE UNITED STATES OF AMERICA,

To all who shall see these Presents, Greeting:

KNOW YE; That reposing special trust and confidence in the Wisdom, Uprightness, and Learning of TOM C. CLARK, of Texas, I have nominated, and, by and with the advice and consent of the Senate, do appoint him an Associate Justice of the Supreme Court of the United States, and do authorize and empower him to execute and fulfil the duties of that Office according to the Constitution and Laws of the said United States, and to Have and to Hold the said Office, with all the powers, privileges and emoluments to the same of right appertaining, unto Him, the said Tom C. Clark, during his good behavior.

IN TESTIMONY WHEREOF, I have caused these Letters to be made patent and the seal of the Department of Justice to be hereunto affixed.

Done at the City of Washington this nineteenth day of August, in the year of our Lord one thousand nine hundred and forty-nine, and of the Independence of the United States of America the one hundred and seventy-fourth.

S E A L

HARRY S. TRUMAN

By the President:

PEYTON FORD

Acting Attorney General."

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Mr. Solicitor General Perlman presented the Honorable J. Howard McGrath of Rhode Island, Attorney General of the United States, and it was ordered that his commission be recorded.

Said commission of Mr. Attorney General McGrath is in the words and figures following, viz:

"HARRY S. TRUMAN

PRESIDENT OF THE UNITED STATES OF AMERICA,

To all who shall see these presents, Greeting:

KNOW YE, that reposing special trust and confidence in the Patriotism, Integrity and Abilities of J. Howard McGrath, of Rhode Island, I have nominated, and, by and with the advice and consent of the Senate, do appoint him Attorney General of the United States, and do authorize and empower him to execute and fulfil the duties of that Office according to law, and to have and to hold the said Office, with all the powers, privileges and emoluments to the same of right appertaining, unto him the said J. Howard McGrath during the pleasure of the President of the United States, for the time being.

IN TESTIMONY WHEREOF, I have caused these Letters to be made Patent, and the Seal of the United States to be hereunto affixed.

Done at the City of Washington this Nineteenth day of August, in the year of our Lord one thousand nine hundred and forty-nine, and of the Independence of the United States of America the one hundred and seventy-fourth.

S E A L

By the President: HARRY S. TRUMAN

Dean Acheson

Secretary of State."

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Proclamation being made the Court is adjourned until Monday, October 10, next, at 12 o'clock.

Pursuant to adjournment the Court met at the Supreme Court Building.

PRESENT:

The Honorable Fred M. Vinson, Chief Justice,
Hugo L. Black,
Stanley Reed,
Felix Frankfurter,
Robert H. Jackson,
Harold H. Burton,
Tom C. Clark. Associate Justices.

Thomas Ennalls Waggaman, Esquire, Marshal,

Charles Elmore Cropley, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Solicitor General Philip B. Perlman, It is ordered that Antha Mulkey, of Atlanta, State of Georgia; Harold Johnson, Esquire, of New York, State of New York; and Louis Marder, Esquire, of Brooklyn, State of New York, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly. (Miss)

On motion first made to the Court in this behalf by Mr. E. C. Gathings, It is ordered that Atlee Harris, Esquire, of West Memphis, State of Arkansas, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Homer D. Angell, It is ordered that Harry S. Coleman, Esquire, of Portland, State of Oregon, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. James Hardin Peterson, It is ordered that Doyle E. Carlton, Esquire, of Tampa, State of Florida, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. James E. Murray, It is ordered that James A. Murray, Esquire, of Los Angeles, State of California, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Clyde Gilman Doyle, It is ordered that Robert M. Early, Esquire, of Los Angeles, State of California, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. John A. Carroll, It is ordered that Sam Frank Davis, Esquire, of Denver, State of Colorado, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Harold H. Persons, It is ordered that Neil Conway, Esquire, of Madison, State of Wisconsin, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Jas. C. Davis, It is ordered that Rob Roy Mundy, Esquire, of Atlanta, State of Georgia, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. William A. Sutherland, It is ordered that Robert L. Strong, Esquire, of Cincinnati, State of Ohio, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Walter P. Reilly, It is ordered that Carl Abruzzese, Esquire, of Newark, State of New Jersey, and Ralph G. Mesce, Esquire, of Newark, State of New Jersey, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Howard J. Lowry, It is ordered that Archie E. Groff, Esquire, of Houston, State of Texas, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Elgood Edward Stephens, It is ordered that Emanuel Berkowitz, Esquire, of Washington, District of Columbia, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Frank T. Bow, It is ordered that Ernest S. Hampton, Esquire, of Salina, State of Kansas, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Thomas F. Murphy, It is ordered that August Altiery, Esquire, of Jackson, State of Mississippi, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Homer S. Carpenter, It is ordered that James L. Givan, Esquire, of Washington, District of Columbia, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. William Paul Shelley, Jr., It is ordered that Willard Ayres, Esquire, of Ocala, State of Florida, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Clarence E. Martin, It is ordered that Brooks B. Callaghan, Esquire, of Richwood, State of West Virginia, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Jacob W. Friedman, It is ordered that Louis A. D'Agosto, Esquire, of New York, State of New York, and Oscar Nabas, Esquire, of Brooklyn, State of New York, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Belford Vance Lawson, Jr., It is ordered that Harry I. Fernandes, Esquire, of South Carver, Commonwealth of Massachusetts, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Donald C. Beelar, It is ordered that Leslie M. O'Connor, Esquire, of Chicago, State of Illinois, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Martin T. Fisher, It is ordered that Joseph V. Meigs, Esquire, of New York, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Fred G. Folsom, It is ordered that Leland E. Modesitt, Esquire, of Denver, State of Colorado, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Norman J. Morrisson, It is ordered that Harry M. Van Aken, Esquire, of New York, State of New York, and William R. Lonergan, Esquire, of New York, State of New York, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

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The Chief Justice announced the following orders of the Court:

Eastern Steamship Lines, Inc., Petitioner,

89 vs.

Francis J. Mulligan, as Public Administrator of the Goods, Chattels and Credits of John Brodie Hutchinson, Deceased.

Order allowing certiorari.

The petition herein for a writ of certiorari to the United States Court of Appeals for the Second Circuit is granted.

And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

Eastern Steamship Lines, Inc., Petitioner,

89 vs.

Francis J. Mulligan, as Public Administrator of the Goods, Chattels and Credits of John Brodie Hutchinson, Deceased.

On writ of certiorari to the United States Court of Appeals for the Second Circuit.

THIS CAUSE came on to be heard on the transcript of the record from the United States Court of Appeals for the Second Circuit, and was duly submitted.

ON CONSIDERATION WHEREOF, It is now here ordered and adjudged by this Court that the judgment of the said United States Court of Appeals, in this cause, be, and the same is hereby, vacated without costs; and that this cause be, and the same is hereby, remanded to the said Court of Appeals for disposition in the light of Cosmopolitan Co. v. McAllister, 337 U. S. 783.

Per Mr. Chief Justice Vinson.

Estate of Gilliat G. Schroeder, Deceased, Louisa R. Schroeder and Helen S. Croll, Executors, Petitioners,

103 vs.

Commissioner of Internal Revenue.

Order allowing certiorari.

The petition herein for a writ of certiorari to the United States

Court of Appeals for the Second Circuit is granted.

And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

Estate of Gilliat G. Schroeder, Deceased, Louisa R. Schroder and Helen S. Croll, Executors,

Petitioners,

103 vs.

Commissioner of Internal Revenue.

On writ of certiorari to the United States Court of Appeals for the Second Circuit.

THIS CAUSE came on to be heard on the transcript of the record from the United States Court of Appeals for the Second Circuit, and was duly submitted.

ON CONSIDERATION WHEREOF, It is now here ordered and adjudged by this Court that the judgment of the said United States Court of Appeals, in this cause, be, and the same is hereby, vacated; and that this cause be, and the same is hereby, remanded to the said Court of Appeals for further consideration in the light of T. D. 5741, 14 Fed. Reg. 5536, and Commissioner v. Estate of Church, 335 U. S. 632, and Estate of Spiegel v. Commissioner, 335 U. S. 701.

Per Mr. Chief Justice Vinson.

NOTE: Amended by order of November 21, 1949, to read as follows:

Estate of Gilliat G. Schroeder, Deceased, Louisa R. Schroeder and Helen S. Croll, Executors,

Petitioners,

103 vs.

Commissioner of Internal Revenue.

On writ of certiorari to the United States Court of Appeals for the Second Circuit.

THIS CAUSE came on to be heard on the transcript of the record from the United States Court of Appeals for the Second Circuit, and was duly submitted.

ON CONSIDERATION WHEREOF, It is ordered and adjudged by this Court that the judgment of the said United States Court of Appeals, in this cause,

be, and the same is hereby, vacated; and that this cause be, and the same is hereby, remanded to the said Court of Appeals for further consideration in the light of T. D. 5741, 14 Fed. Reg. 5536; the Technical Changes Act of October 25, 1949; and, Commissioner v. Estate of Church, 335 U. S. 632, and Estate of Spiegel v. Commissioner, 335 U. S. 701.

Per Mr. Chief Justice Vinson.

Adirondack Transit Lines, Inc.,
Appellant,
104 vs.
Hudson Transit Lines, Inc.; and

The United States of America and Interstate Commerce Commission,
Appellants,
105 vs.
Hudson Transit Lines, Inc.

Appeals from the United States District Court for the Southern District of New York.

THIS CAUSE came on to be heard on the transcript of the record from the United States District Court for the Southern District of New York, and on motions to affirm, which were duly submitted.

ON CONSIDERATION WHEREOF, It is ordered by this Court that the motions to affirm the decree of the District Court in this cause, be, and the same are hereby, granted.

It is further ordered, adjudged, and decreed that the decree of the said District Court, in this cause, be, and the same is hereby, affirmed.

Per Mr. Chief Justice Vinson.

Dissenting: Mr. Justice Black, Mr. Justice Reed, and Mr. Justice Douglas.

Harry Norman Ball, Trustee,
Appellant,
122 vs.
The United States of America, Paramount Pictures, Inc., et al.

Appeal from the United States District Court for the Southern District of New York.

THIS CAUSE came on to be heard on the transcript of the record from the United States District Court for the Southern District of New York, and on motion to affirm which was duly submitted.

ON CONSIDERATION WHEREOF, It is ordered by this Court that the motion to affirm the order or decree of the District Court denying Harry Norman Ball, Trustee, leave to intervene in this cause, be, and the same is hereby, granted.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that the decree of the said District Court dated March 9, 1949, denying appellant leave to intervene in this cause, be, and the same is hereby, affirmed.

Per Mr. Chief Justice Vinson.

Mr. Justice Clark took no part in the consideration or decision of this case.

G. O. Beeman, George W. Bower, Harding A. Ferguson,
Appellants,
134 vs.
Michigan Board of Pharmacy, et al.

Appeal from the Supreme Court of the State of Michigan.

THIS CAUSE came on to be heard on the transcript of the record from the Supreme Court of the State of Michigan, and on motion to dismiss or affirm, which was duly submitted.

ON CONSIDERATION WHEREOF, It is now here ordered by this Court that the motion to dismiss the appeal herein be, and the same is hereby, granted.

IT IS FURTHER ORDERED that the appeal herein be, and the same is hereby, dismissed for the want of a substantial federal question.

Per Mr. Chief Justice Vinson.

Beard-Laney, Inc.,
Appellant,
137 vs.
The United States of America, Interstate Commerce Commission and Associated Petroleum Carriers.

Appeal from the United States District Court for the Eastern District of South Carolina.

THIS CAUSE came on to be heard on the transcript of the record from the United States District Court for the Eastern District of South Carolina, and on motions to affirm, which were duly submitted.

ON CONSIDERATION WHEREOF, It is now here ordered by this Court that the motions to affirm the decree of the District Court, in this cause, be, and the same are hereby, granted.

IT IS FURTHER ordered, adjudged, and decreed that the decree of the said District Court in this cause, be, and the same is hereby, affirmed.

Per Mr. Chief Justice Vinson.

Dissenting: Mr. Justice Black and Mr. Justice Douglas.

Albert Lee,

Appellant,

138 vs.

State of Mississippi.

ON CONSIDERATION of the motion for leave to proceed further herein in forma pauperis,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, granted.

Per Mr. Chief Justice Vinson.

Albert Lee, Appellant, vs. State of Mississippi. Appeal from the Supreme Court of the State of Mississippi.

138

THIS CAUSE came on to be heard on the transcript of the record from the Supreme Court of the State of Mississippi, and was duly submitted.

ON CONSIDERATION WHEREOF, It is now here ordered by this Court that the appeal herein be, and the same is hereby, dismissed for the want of jurisdiction.

Per Mr. Chief Justice Vinson.

Albert Lee, Appellant, vs. State of Mississippi. Appeal from the Supreme Court of the State of Mississippi.

138

TREATING the appeal papers herein from the Supreme Court of the State of Mississippi as an application for a writ of certiorari;

ON CONSIDERATION WHEREOF, it is ordered by this Court that the said application for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Eric Hass,
Appellant,
vs.
148
The People of the State of New York.

Appeal from the Court of Appeals of the State of New York.

THIS CAUSE came on to be heard on the transcript of the record from the Court of Appeals of the State of New York, and was duly submitted.

ON CONSIDERATION WHEREOF, It is now here ordered by this Court that the appeal herein be, and the same is hereby, dismissed for the want of a substantial federal question.

Per Mr. Chief Justice Vinson.

Dissenting: Mr. Justice Black and Mr. Justice Douglas.

Partmar Corporation,
Appellant,
vs.
175
The United States of America, Paramount Pictures, Inc., et al.

Appeal from the United States District Court for the Southern District of New York.

THIS CAUSE came on to be heard on the transcript of the record from the United States District Court for the Southern District of New York, and on motion to affirm, which was duly submitted.

ON CONSIDERATION WHEREOF, It is ordered by this Court that the motion to affirm the order or decree of the District Court denying Partmar Corporation leave to intervene in this cause, be, and the same is hereby, granted.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that the decree of the said District Court dated March 3, 1949, denying appellant leave to intervene in this cause, be, and the same is hereby, affirmed.

Per Mr. Chief Justice Vinson.

Mr. Justice Clark took no part in the consideration or decision of this case.

General Engineering Corporation and General Industrial Supply Corporation,

Appellants,

196 vs.

Texas Employment Commission, Formerly Known as Texas Unemployment Compensation Commission, et al.

Appeal from the Supreme Court of the State of Texas.

THIS CAUSE came on to be heard on the transcript of the record from the Supreme Court of the State of Texas, and was duly submitted.

ON CONSIDERATION WHEREOF, It is now here ordered by this Court that the appeal herein be, and the same is hereby, dismissed for the want of a substantial federal question.

Per Mr. Chief Justice Vinson.

Isadore M. Krachock,

Appellant,

198 vs.

Department of Revenue of the State of Illinois.

Appeal from the Supreme Court of the State of Illinois.

THIS CAUSE came on to be heard on the transcript of the record from the Supreme Court of the State of Illinois, and was duly submitted.

ON CONSIDERATION WHEREOF, It is now here ordered by this Court that the appeal herein be, and the same is hereby, dismissed for the want of a substantial federal question.

Per Mr. Chief Justice Vinson.

Elmer Michael Walsh, Sheriff, Cook County, Illinois,

Petitioner,

199 vs.

The United States of America, ex rel. Ralph E. White.

Order allowing certiorari.

The petition herein for a writ of certiorari to the United States Court of Appeals for the Seventh Circuit is granted.

And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

Elmer Michael Walsh, Sheriff, Cook County, Illinois,

Petitioner,

199 vs.

The United States of America, ex rel. Ralph E. White.

On writ of certiorari to the United States Court of Appeals for the Seventh Circuit.

THIS CAUSE came on to be heard on the transcript of the record from the United States Court of Appeals for the Seventh Circuit, and was duly submitted.

ON CONSIDERATION WHEREOF, It is now here ordered and adjudged by this Court that the judgment of the said United States Court of Appeals, in this cause, be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the United States District Court for the Northern District of Illinois with directions to discharge the writ of habeas corpus and remand respondent White to custody.

Per Mr. Chief Justice Vinson.

Willie McGee,

Appellant,

238 vs.

State of Mississippi.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, granted.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this motion.

Willie McGee,

Appellant,

238 vs.

State of Mississippi.

Appeal from the Supreme Court of the State of Mississippi.

THIS CAUSE came on to be heard on the transcript of the record from the Supreme Court of the State of Mississippi, and was duly submitted.

ON CONSIDERATION WHEREOF, It is now here ordered by this Court that the appeal herein be, and the same is hereby, dismissed for the want of jurisdiction.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this case.

Willie McGee, Appellant, vs. State of Mississippi. — On petition for writ of certiorari to the Supreme Court of the State of Mississippi.

238

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of Mississippi, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this petition.

Kenosha Motor Coach Lines, Inc., Appellant, vs. Public Service Commission of Wisconsin, et al. — Appeal from the Supreme Court of the State of Wisconsin.

242

THIS CAUSE came on to be heard on the transcript of the record from the Supreme Court of the State of Wisconsin, and was duly submitted.

ON CONSIDERATION WHEREOF, It is now here ordered by this Court that the appeal herein be, and the same is hereby, dismissed for the want of a substantial federal question.

Per Mr. Chief Justice Vinson.

Dissenting: Mr. Justice Black and Mr. Justice Douglas.

Corporation of the Presiding Bishop of the Church of Jesus Christ of Latter-Day Saints, a Utah Corporation, Sole,

Appellant,

245 vs.

City of Porterville, a Municipal Corporation, et al.

Appeal from the District Court of Appeal, Fourth Appellate District, State of California.

THIS CAUSE came on to be heard on the transcript of the record from the District Court of Appeal, Fourth Appellate District, State of California, and on motion to dismiss or affirm, which was duly submitted.

ON CONSIDERATION WHEREOF, It is now here ordered by this Court that the motion to dismiss the appeal herein be, and the same is hereby, granted.

IT IS FURTHER ordered that the appeal herein be, and the same is hereby, dismissed for the want of a substantial federal question.

Per Mr. Chief Justice Vinson.

Arthur Bingaman, Administrator of the Estate of Alvin A. Bingaman, Deceased,

Appellant,

250 vs.

Eric H. Rehn and John P. Mainelli, Doing Business Under the Name and Style of John P. Mainelli Construction Company.

Appeal from the Supreme Court of the State of Nebraska.

THIS CAUSE came on to be heard on the transcript of the record from the Supreme Court of the State of Nebraska, and on motion to dismiss, which was duly submitted.

ON CONSIDERATION WHEREOF, It is now here ordered by this Court that the motion to dismiss the appeal herein be, and the same is hereby, granted.

IT IS FURTHER ordered that the appeal herein be, and the same is hereby, dismissed for the want of a substantial federal question.

Per Mr. Chief Justice Vinson.

Elmer Remmer,

Appellant,

277 vs.

The Municipal Court of the City and County of San Francisco, State of California, et al.

Appeal from the District Court of Appeal, First Appellate District, State of California.

THIS CAUSE came on to be heard on the transcript of the record from the District Court of Appeal, First Appellate District, State of California, and was duly submitted.

ON CONSIDERATION WHEREOF, It is now here ordered by this Court that the appeal herein be, and the same is hereby, dismissed for the want of a substantial federal question.

Per Mr. Chief Justice Vinson.

Menlo Social Club, Inc.,

Appellant,

278 vs.

Edmund Gerald Brown, as District Attorney, Michael Mitchell, as Chief of Police, et al.

Appeal from the District Court of Appeal, First Appellate District, State of California.

THIS CAUSE came on to be heard on the transcript of the record from the District Court of Appeal, First Appellate District, State of California, and was duly submitted.

ON CONSIDERATION WHEREOF, It is now here ordered by this Court that the appeal herein be, and the same is hereby, dismissed for the want of a substantial federal question.

Per Mr. Chief Justice Vinson.

The United States of America,

Plaintiff,

12, Original vs.

State of Louisiana.

ON CONSIDERATION of the demurrer or motion to dismiss on jurisdictional grounds and of the conditional motions in this case,

IT IS ORDERED by this Court that the demurrer be, and it is hereby, overruled, that the motion to dismiss on jurisdictional grounds be, and it is hereby, denied, and that the conditional motions be, and they are hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Jackson and Mr. Justice Clark took no part in the consideration or decision of this demurrer or these motions.

The United States of America,

Plaintiff,

12, Original vs.

State of Louisiana.

ON CONSIDERATION of the motion of the United States for judgment in this case,

IT IS ORDERED by this Court that the said motion be, and it is hereby, denied and the defendant is allowed thirty days from this date within which to file an answer to the complaint.

Per Mr. Chief Justice Vinson.

Mr. Justice Jackson and Mr. Justice Clark took no part in the consideration or decision of this motion.

The United States of America,

Plaintiff,

13, Original vs.

State of Texas.

ON CONSIDERATION of the motion to dismiss the complaint and of the motion for more definite statement or bill of particulars,

IT IS ORDERED by this Court that the said motions be, and they are hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Jackson and Mr. Justice Clark took no part in the consideration or decision of these motions.

The United States of America,

Plaintiff,

13, Original vs.

State of Texas.

ON CONSIDERATION of the motion of the United States for judgment in this case,

IT IS ORDERED by this Court that the said motion be, and it is hereby, denied and the defendant is allowed thirty days from this date within which to file an answer to the complaint.

Per Mr. Chief Justice Vinson.

Mr. Justice Jackson and Mr. Justice Clark took no part in the consideration or decision of this motion.

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The Chief Justice said:

"The other orders of the Court appear upon the list certified by the Chief Justice and filed with the Clerk and will not be announced orally."

The United States of America,

Plaintiff,

12, Original vs.

The State of Louisiana; and

The United States of America,

Plaintiff,

13, Original vs.

The State of Texas.

ON CONSIDERATION of the motion of Agnes E. Lewis, et al. for leave to intervene in these cases,

IT IS ORDERED by this Court that the said motion be, and it is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Jackson and Mr. Justice Clark took no part in the consideration or decision of this application.

In the Matter of Robert Blount Ralls.

No. ____

ON CONSIDERATION of the motion to amend the Attorney Roll to show a change of name of Oscar Blount Ralls to Robert Blount Ralls,

IT IS ORDERED by this Court that the said motion be, and it is hereby, granted.

Per Mr. Chief Justice Vinson.

William Henry Roberts,

Petitioner,

2, Misc. vs.

The United States District Court for the Northern District of California.

It is ordered that Max Radin, Esquire, of Berkeley, California, a member of the bar of this Court, be, and he is hereby, appointed to serve as counsel for the petitioner in this case.

Per Mr. Chief Justice Vinson.

Tom C. Clark, Attorney General, as Successor to the Alien Property Custodian,

Petitioner,

11 vs.

Manufacturers Trust Company.

ON CONSIDERATION of the motion of the Solicitor General of the United States to substitute the party petitioner in this case,

IT IS ORDERED by this Court that J. Howard McGrath, present Attorney General, be substituted as the party petitioner in place of Tom C. Clark and that the cause be so continued and maintained.

Per Mr. Chief Justice Vinson.

Mr. Justice Clark took no part in the consideration or decision of this motion.

Manufacturers Trust Company,

Petitioner,

15 vs.

Tom C. Clark, Attorney General, as Successor to the Alien Property Custodian.

ON CONSIDERATION of the motion of the Solicitor General of the United States to substitute the party respondent in this case,

IT IS ORDERED by this Court that J. Howard McGrath, present Attorney General, be substituted as the party respondent in place of Tom C. Clark and that the cause be so continued and maintained.

Per Mr. Chief Justice Vinson.

Mr. Justice Clark took no part in the consideration or decision of this motion.

Rosette Sorge Savorgnan,

Petitioner,

48 vs.

The United States of America, Tom C. Clark, the Attorney General, etc., et al.

ON CONSIDERATION of the motion of the Solicitor General of the United States to substitute a party respondent in this case,

IT IS ORDERED by this Court that J. Howard McGrath, present Attorney General, be substituted as a party respondent in place of Tom C. Clark and that the cause be so continued and maintained.

Per Mr. Chief Justice Vinson.

Mr. Justice Clark took no part in the consideration or decision of this motion.

Oscar F. Treichler, Executor, etc.,

Appellant,

20 vs.

State of Wisconsin.

ON CONSIDERATION of the motion of J. Gilbert Hardgrove for leave to argue as amicus curiae in this case,

IT IS ORDERED by this Court that the said motion be, and it is hereby, denied.

Per Mr. Chief Justice Vinson.

Secretary of Agriculture,

Petitioner,

27 vs.

Central Roig Refining Co., et al.;

Porto Rican American Sugar Refinery, Inc.,

Petitioner,

30 vs.

Central Roig Refining Co., et al.; and

The Government of Puerto Rico,

Petitioner,

32 vs.

The Secretary of Agriculture, et al.

ON CONSIDERATION of the motion to withdraw the appearances of Howard C. Westwood and Donald Hiss as counsel for the American Sugar Refining Co., et al., in these cases,

IT IS ORDERED by this Court that the said motion be, and it is hereby, granted.

Per Mr. Chief Justice Vinson.

The United States of America, ex rel.
Lee Wo Shing,

Petitioner,

213 vs.

W. Frank Watkins, District Director
of the Immigration and Naturalization
Service, etc.

ON CONSIDERATION of the motion to substitute the party respondent in this case,

IT IS ORDERED by this Court that Edward J. Shaughnessy, Acting District Director, be substituted as the party respondent in place of W. Frank Watkins and that the cause be so continued and maintained.

Per Mr. Chief Justice Vinson.

Mr. Justice Clark took no part in the consideration or decision of this motion.

The United States of America, ex rel.
Lee Wo Shing,

Petitioner,

213 vs.

Edward J. Shaughnessy, Acting District
Director of the Immigration and Naturalization
Service, etc.

ON CONSIDERATION of the motion to dispense with printing the petition, brief, and record in this case,

IT IS ORDERED by this Court that the said motion be, and it is hereby, granted.

Per Mr. Chief Justice Vinson.

Mr. Justice Clark took no part in the consideration or decision of this motion.

Martin J. Bernards and Lena Bernards,

Petitioners,

2 O. T. 1941 vs.

M. R. Johnson, et al.

ON CONSIDERATION of the motion of petitioners to recall the mandate in this case,

IT IS ORDERED by this Court that the said motion be, and it is hereby, denied.

Per Mr. Chief Justice Vinson.

The United States of America, et al.,

Appellants,

113 vs.

Pacific Coast Wholesaler's Association,
et al.; and

Freight Forwarders Institute,

Appellant,

114 vs.

Pacific Coast Wholesaler's Association, et al.

The statements of jurisdiction in these cases having been submitted and considered by the Court, probable jurisdiction is noted and the cases are transferred to the summary docket.

Per Mr. Chief Justice Vinson.

Louise M. Wissner, et al.,

Appellants,

119 vs.

Margaret Wissner.

The statement of jurisdiction in this case having been submitted and considered by the Court, probable jurisdiction is noted and the case is transferred to the summary docket.

Per Mr. Chief Justice Vinson.

New Jersey Realty Title Insurance Company,

Appellant,

147 vs.

Division of Tax Appeals in the Department of Taxation and Finance of the State of New Jersey, et al.

The statement of jurisdiction in this case having been submitted and considered by the Court, probable jurisdiction is noted and the case is transferred to the summary docket.

Per Mr. Chief Justice Vinson.

The United States of America,

Appellant,

171 vs.

Joe Burnison and Phil C. Katz, Public Administrator of the City and County of San Francisco.

The statement of jurisdiction in this case having been submitted and considered by the Court, probable jurisdiction is noted and the case is transferred to the summary docket.

Per Mr. Chief Justice Vinson.

The United States of America,

Appellant,

188 vs.

Charles F. Gayetty, et al.

The statement of jurisdiction in this case having been submitted and considered by the Court, probable jurisdiction is noted and the case is

The United States of America, et al.,

Appellants,

173 vs.

United States Smelting, Refining, and Mining Co., et al.

The statement of jurisdiction in this case having been submitted and considered by the Court, probable jurisdiction is noted.

Per Mr. Chief Justice Vinson.

Julius A. Krug, Department of Interior, Order allowing certiorari.

Petitioner,

60 vs.

Sheridan-Wyoming Coal Company, Inc.

The petition herein for a writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit is granted.

And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

R. M. Powell, et al., Order allowing certiorari.

Petitioners,

96 vs.

The United States Cartridge Company.

The petition herein for a writ of certiorari to the United States Court of Appeals for the Eighth Circuit is granted. The case is assigned for argument immediately preceding the hearing of Nos. 58 and 79 which cases are transferred to the summary docket.

And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

The United States, Order allowing certiorari.

Petitioner,

97 vs.

Jeff W. Moorman and James C. Moorman, Co-partners, Doing Business as J. W. Moorman and Son.

The petition herein for a writ of certiorari to the United States Court of Claims is granted. The case is transferred to the summary docket.

And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

Commissioner of Internal Revenue, Order allowing certiorari.

Petitioner,

126 vs.

Philadelphia Transportation Company.

The petition herein for a writ of certiorari to the United States Court of Appeals for the Third Circuit is granted. The case is transferred to the summary docket.

And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

Albert G. Dickinson, Order allowing certiorari.

Petitioner,

150 vs.

Petroleum Conversion Corporation.

The petition herein for a writ of certiorari to the United States Court of Appeals for the Second Circuit is granted, limited to questions 1 and 2 presented by the petition for the writ. The case is transferred to the summary docket.

And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

Wong Yang Sung,

Petitioner,

154 vs.

Tom C. Clark, Attorney General of the United States, et al.

ON CONSIDERATION of the motion of the Solicitor General of the United States to substitute a party respondent in this case,

IT IS ORDERED that J. Howard McGrath, present Attorney General, be substituted as a party respondent in place of Tom C. Clark and that the cause be so continued and maintained.

Per Mr. Chief Justice Vinson.

Mr. Justice Clark took no part in the consideration or decision of this motion.

Wong Yang Sung, Order allowing certiorari.

Petitioner,

154 vs.

J. Howard McGrath, Attorney General of the United States, et al.

The petition herein for a writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit is granted. The case is transferred to the summary docket.

And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

Mr. Justice Clark took no part in the consideration or decision of this application.

Civil Aeronautics Board, Petitioner, vs. State Airlines, Inc. — Order allowing certiorari.

157

The petition herein for a writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit is granted.

And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

State Airlines, Inc., Petitioner, vs. Civil Aeronautics Board and Piedmont Aviation, Inc. — Order allowing certiorari.

158

The petition herein for a writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit is granted.

And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

Piedmont Aviation, Inc., Petitioner, vs. State Airlines, Inc. — Order allowing certiorari.

159

The petition herein for a writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit is granted.

And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

J. Baker Bryan, Sr., Order allowing certiorari.

Petitioner,

178 vs.

The United States of America.

The petition herein for a writ of certiorari to the United States Court of Appeals for the Fifth Circuit is granted.

And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

Floyd G. Affolder, Order allowing certiorari.

Petitioner,

200 vs.

New York, Chicago and St. Louis Railroad Company.

The petition herein for a writ of certiorari to the United States Court of Appeals for the Eighth Circuit is granted. The case is transferred to the summary docket.

And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

The United States of America,

Petitioner,

217 vs.

Alexander Lawrence Alpers.

ON CONSIDERATION of the motion of respondent for leave to file typewritten brief in opposition to the petition for certiorari in this case,

IT IS ORDERED by this Court that the said motion be, and it is hereby, granted.

Per Mr. Chief Justice Vinson.

The United States of America, Petitioner, vs. Alexander Lawrence Alpers. Order allowing certiorari.

217

The petition herein for a writ of certiorari to the United States Court of Appeals for the Ninth Circuit is granted. The case is transferred to the summary docket.

And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

Swift and Company Packers, et al., Petitioners, vs. Compania Colombiana Del Caribe, S. A. Order allowing certiorari.

230

The petition herein for a writ of certiorari to the United States Court of Appeals for the Fifth Circuit is granted.

And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

Alcoa Steamship Company, Inc., Petitioner, vs. The United States of America. Order allowing certiorari.

271

The petition herein for a writ of certiorari to the United States Court of Appeals for the Second Circuit is granted.

And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

Victor Hubsch,

Petitioner,

50, Misc. vs.

The United States of America.

On petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, granted. The case is transferred to the appellate docket as No. 379.

IT IS FURTHER ORDERED that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Margaret Schweitzer,

Petitioner,

51, Misc. vs.

The United States of America.

On petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, granted. The case is transferred to the appellate docket as No. 380.

IT IS FURTHER ORDERED that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Constancio R. Alesna, Jose Bagogo Bernal, Daniel Rodriquez Ferreira, et al., Petitioners,

52 vs.

Philip L. Rice, as Judge of the Circuit Court for the Fifth Judicial Circuit of the Territory of Hawaii, et al.

On petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Ninth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Breeding Motor Freight Lines, Inc., Debtor, Petitioner,

64 vs.

Reconstruction Finance Corporation, et al.

On petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Tenth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Breeding Motor Coaches, Inc., Debtor, Petitioner,

65 vs.

Reconstruction Finance Corporation, et al.

On petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Tenth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Glenn E. Breeding, et al., Doing Business as Breeding Motor Coaches, et al.,

Petitioners,

66 vs.

Reconstruction Finance Corporation.

On petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Tenth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Glenn E. Breeding, et al., Doing Business as Breeding Motor Coaches, et al.,

Petitioners,

67 vs.

Reconstruction Finance Corporation.

On petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Tenth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Lester E. Banning,

Petitioner,

68 vs.

Detroit, Toledo and Ironton Railroad Company.

On petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Sixth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Detroit, Toledo and Ironton Railroad Company,

Petitioner,

93 vs.

Lester E. Banning.

On petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Sixth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Meyer P. Gross, Saul Frankel, Murray M. Salzburg and Morris H. Smerson,

Petitioners,

73 vs.

Willie May Kell, Mary Joe Kell Putty, Malcolm D. Putty, et al.

On petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Fifth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Anthony Vespole,

Petitioner,

74 vs.

The United States of America.

On petition for writ of certiorari to the United States Court of Appeals for the Second Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Second Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Salvatore Tanuzzo and Munze Dollaratta,

Petitioners,

5 Misc. vs.

The United States of America.

On petition for writ of certiorari to the United States Court of Appeals for the Second Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Second Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

The Good Holding Company, Carolyn G. Good Tucker and Owen Tucker,

Petitioners,

78 vs.

Frances B. Boswell.

On petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Fifth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Thomas Hodge, George Hodge, Nettie Powell, et al.,

Petitioners,

80 vs.

First Presbyterian Church of Sterling, Illinois.

On petition for writ of certiorari to the Supreme Court of the State of Iowa.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of Iowa, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Patrick J. Delahanty and Catharine C. Delahanty, Individually and Trading as P. J. Delahanty Manufacturing Co.,

Petitioners,

81 vs.

John J. Daley.

On petition for writ of certiorari to the Supreme Court of the State of New Jersey.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of New Jersey, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Aero Services, Inc., a Corporation, Debtor,

Petitioner,

84 vs.

John R. Quinn, County Assessor and H. L. Byram, County Tax Collector of Los Angeles County.

On petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Ninth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

O. G. Harp, Doing Business as O. G. Harp Poultry and Egg Company,

Petitioner,

85 vs.

The United States of America.

On petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Tenth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Barton, Barton, Durstine and Osborn, Inc.,

Petitioner,

86 vs.

Commissioner of Internal Revenue.

On petition for writ of certiorari to the United States Court of Appeals for the Second Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Second Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Homer Hoagland,

Petitioner,

87 vs.

B. F. Bass.

On petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Fifth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Edna Pearl Bailey,

Petitioner,

88 vs.

B. F. Bass.

On petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Fifth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

James Zarichny, Petitioner,
90 vs.
State Board of Agriculture, Sarah Van Hoosen Jones, et al.

On petition for writ of certiorari to the Supreme Court of the State of Michigan.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of Michigan, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Ernest A. Jackson, Petitioner,
94 vs.
Commissioner of Internal Revenue.

On petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Seventh Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Harris Trust and Savings Bank, as Executor (Estate of Robert O. Farrell, Deceased), Petitioner,
95 vs.
Commissioner of Internal Revenue.

On petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Seventh Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mary E. Doyle, Widow, and Annie E. Doyle, Mother of Bernard C. Doyle, Deceased,

Petitioners,

106 vs.

The Lord Baltimore Hotel Company, Employer, and Liberty Mutual Insurance Company, Insurer.

On petition for writ of certiorari to the Court of Appeals of the State of Maryland.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Court of Appeals of the State of Maryland, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Elmer H. Bartlett, et al.,

Petitioners,

108 vs.

Denis W. Delaney, Collector, et al.

On petition for writ of certiorari to the United States Court of Appeals for the First Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the First Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Local Union No. 807, International Brotherhood of Teamsters, Chauffeurs, Warehousemen and Helpers of America, et al.,

Petitioners,

110 vs.

Motor Haulage Company, Inc.

On petition for writ of certiorari to the Court of Appeals of the State of New York.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Court of Appeals of the State of New York, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Eola M. Wright, Petitioner,
111 vs.
W. E. Reynolds, Commissioner, Public Building Administration, Federal Works Agency, et al.

On petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the District of Columbia Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Anthony Carr, Petitioner,
112 vs.
National Discount Corporation.

On petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Sixth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

William Henry Nagel, Petitioner,
115 vs.
State of Oregon.

On petition for writ of certiorari to the Supreme Court of the State of Oregon.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of Oregon, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Nancy Bradburn, nee Yarhola,
Petitioner,
116 vs.
Shell Oil Company, Incorporated.

On petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Tenth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Pierce G. White,
Petitioner,
117 vs.
Samuel Feinberg.

On petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Fifth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Commissioner of Internal Revenue,
Petitioner,
120 vs.
H. R. Smith.

On petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Fifth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Commissioner of Internal Revenue,
Petitioner,
121 vs.
L. P. Long.

On petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Fifth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

John L. Fahs, U. S. Collector of Internal Revenue for the District of Florida,
Petitioner,
123 vs.
Economy Cab Company of Jacksonville, and Thrift Cabs, Inc.

On petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Fifth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

John L. Fahs, U. S. Collector of Internal Revenue for the District of Florida,
Petitioner,
124 vs.
New Deal Cab Company.

On petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Fifth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

The United States of America,

Petitioner,

125 vs.

Party Cab Company.

On petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Seventh Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

George T. Goggin, as Trustee of the Estate of A. Moody and Co., Inc., Bankrupt,

Petitioner,

127 vs.

H. L. Byram, Tax Collector for the County of Los Angeles, State of California.

On petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Ninth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Earle C. Anthony, Inc.,

Petitioner,

128 vs.

Kenneth E. Morrison and the Voice of the Orange Empire, Inc., et al.

On petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Ninth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Ralph E. Jones,

Petitioner,

129 vs.

Schick Services, Inc. and Schick, Inc.

On petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Ninth Circuit, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Alvie D. Killian,

Petitioner,

130 vs.

The Pennsylvania Railroad Company and P. R. Mallory and Co., Inc.

On petition for writ of certiorari to the Appellate Court of the State of Illinois, First District.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Appellate Court of the State of Illinois, First District, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Freda Goodman,

Petitioner,

131 vs.

City of Chicago.

On petition for writ of certiorari to the Appellate Court of the State of Illinois, First District.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Appellate Court of the State of Illinois, First District, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Philadelphia Transportation Company,
Petitioner,
132 vs.
Florence T. Smith and John M. Smith, Her Husband, et al.

On petition for writ of certiorari to the United States Court of Appeals for the Third Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Third Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Philadelphia Transportation Company,
Petitioner,
133 vs.
Abigail Sterner and Benjamin D. Fenimore.

On petition for writ of certiorari to the United States Court of Appeals for the Third Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Third Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Sam Macri, Don Macri and Joe Macri, Individuals and Co-partners,
Petitioners,
135 vs.
The United States of America, for the Use of M. C. Schaefer, an Individual Doing Business as Concrete Construction Company, et al.

On petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Ninth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

J. S. Putnam and Stanley M. Burns, Executors of the Estate of Abraham Burtman,

Petitioners,

136 vs.

State of New Hampshire.

On petition for writ of certiorari to the Supreme Court of the State of New Hampshire.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of New Hampshire, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mario Mercado e Hijos,

Petitioner,

139 vs.

Charles F. Brannan, Secretary of Agriculture.

On petition for writ of certiorari to the United States Court of Appeals for the First Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the First Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Clarence C. Russell and Ruby Russell,

Petitioners,

141 vs.

The Board of County Commissioners of the County of Oklahoma.

On petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Tenth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

General Box Company,

Petitioner,

142 vs.

Central Metal Products Company.

On petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Sixth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Benjamin J. Weil,

Petitioner,

143 vs.

Commissioner of Internal Revenue.

On petition for writ of certiorari to the United States Court of Appeals for the Second Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Second Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

L. Victor Weil,

Petitioner,

144 vs.

Commissioner of Internal Revenue.

On petition for writ of certiorari to the United States Court of Appeals for the Second Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Second Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Baxter Creek Irrigation District and W. Coburn Cook, Trustee,

Petitioners,

145 vs.

State of California, Fish and Game Commission of the State of California.

On petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Ninth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Alcoa Steamship Company, Incorporated, Cunard White Star Line Limited, et al.,

Petitioners,

146 vs.

Joseph McMahon, as President, et al.

On petition for writ of certiorari to the United States Court of Appeals for the Second Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Second Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Henry Behrens,

Petitioner,

151 vs.

J. Scott Skelly, Charles E. Dexter, Jr., Marc J. Sandler, et al.

On petition for writ of certiorari to the United States Court of Appeals for the Third Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Third Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

John E. Gibbons,

Petitioner,

152 vs.

The Detroit and Toledo Shore Line Railroad Company.

On petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Sixth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Saint Lo Construction Company, Inc.,

Petitioner,

153 vs.

Lawrence Koenigsberger, et al.

On petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the District of Columbia Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Walter A. Lavender, Administrator of the Estate of Charles Lee Hunter, Deceased,

Petitioner,

160 vs.

Illinois Central Railroad Company.

On petition for writ of certiorari to the Supreme Court of the State of Missouri.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of Missouri, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Henry D. Green, Doing Business as Green Harvester and Implement Co.,

Petitioner,

161 vs.

Allis-Chalmers Manufacturing Co.

On petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Fourth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

John M. Gillis, Doing Business as the Gillis Van Service and the Gillis Van Service, a Corporation,

Petitioners,

164 vs.

Keystone Mutual Casualty Company, et al.

On petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Sixth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

The Village of Highland Falls, New York,

Petitioner,

166 vs.

The United States.

On petition for writ of certiorari to The Court of Claims.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Court of Claims and of the argument of counsel thereupon had, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Paul J. Ziegler, Petitioner,
167 vs.
The United States of America.

On petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Ninth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Park-In Theatres, Inc., Petitioner,
170 vs.
Loew's Drive-In Theatres, Inc.

On petition for writ of certiorari to the United States Court of Appeals for the First Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the First Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Gulf, Mobile and Ohio Railroad Company, Petitioner,
176 vs.
James B. Maxie.

On petition for writ of certiorari to the Supreme Court of the State of Missouri.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of Missouri, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

The United States of America, Petitioner,

179 vs.

S. S. Australia Star, et al., and Six Other Proceedings.

On petition for writ of certiorari to the United States Court of Appeals for the Second Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Second Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Main Street Bank, et al., Petitioners,

180 vs.

Dan M. Nee, Collector of Internal Revenue.

On petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Eighth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

The Uptown Club of Manhattan, Incorporated, Petitioner,

181 vs.

The United States.

On petition for writ of certiorari to The Court of Claims.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Court of Claims and of the argument of counsel thereupon had, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Holloway Gravel Company, Inc.,

Petitioner,

183 vs.

William R. McComb, Administrator of the Wage and Hour Division, United States Department of Labor.

On petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Fifth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Marcelino Garcia, et al., as Executors of the Last Will and Testament of Manuel Diaz, Deceased, et al.,

Petitioners,

184 vs.

Pan American Airways, Inc. and R. O. D. Sullivan.

On petition for writ of certiorari to the Supreme Court of the State of New York, Westchester County.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of New York, Westchester County, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Frank W. Blair, Louis H. Charbonneau, and Lucius Teter, Trustees, etc.,

Petitioners,

185 vs.

John C. Finan.

On petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Sixth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Albert W. Newsom, et al., Petitioners,
187 vs.
E. I. DuPont De Nemours and Company.

On petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Sixth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Shamrock Towing Co., Inc., Petitioner,
189 vs.
F. E. Grauwiller Transportation Co., Inc., et al.

On petition for writ of certiorari to the United States Court of Appeals for the Second Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Second Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Glen S. Dille, Petitioner,
190 vs.
W. A. Delaney, Jr., Zephyr Drilling Company and the Carter Oil Company.

On petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Tenth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Joseph B. Cooper and Son, Inc., as Owner of 84.80 Ounces of Platinum,

Petitioner,

191 vs.

The United States of America.

On petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Fifth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

The Commission of the Department of Public Utilities of the Commonwealth of Massachusetts,

Petitioner,

192 vs.

Lowell Gas Company.

On petition for writ of certiorari to the Supreme Judicial Court of the Commonwealth of Massachusetts.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Judicial Court of the Commonwealth of Massachusetts, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Palm Beach Trust Company,

Petitioner,

193 vs.

Commissioner of Internal Revenue.

On petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the District of Columbia Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mrs. Anna L. Graves, et al.,
Petitioners,
194 vs.
Springfield Gas and Electric Company.

On petition for writ of certiorari to the Supreme Court of the State of Missouri.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of Missouri, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Atlantic Coast Line Railroad Company,
Petitioner,
201 vs.
L. C. Haselden.

On petition for writ of certiorari to the Supreme Court of the State of South Carolina.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of South Carolina, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Dairymen's League Co-operative Association, Inc.,
Petitioner,
202 vs.
Charles F. Brannan, as Secretary of Agriculture of the United States.

On petition for writ of certiorari to the United States Court of Appeals for the Second Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Second Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

N. C. Hines,

Petitioner,

204 vs.

Thomas E. Edwards

On petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the District of Columbia Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Radcliffe Morris Urquhart and George T. Urquhart,

Petitioners,

206 vs.

Pyreno Manufacturing Company.

On petition for writ of certiorari to the United States Court of Appeals for the Third Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Third Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Gulf Coast Western Oil Co., Inc.,

Petitioner,

208 vs.

M. E. Trapp.

On petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Tenth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Burman Properties, Inc., et al., Petitioners, vs. Roscoe L. McKinney, et al. — On petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit.

209

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the District of Columbia Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Centaur Construction Company, Inc., Petitioner, vs. The United States. — On petition for writ of certiorari to The Court of Claims.

211

ON CONSIDERATION of the petition for a writ of certiorari herein to the Court of Claims and of the argument of counsel thereupon had, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

State of Ohio, ex rel. Calvin Lewis, Petitioner, vs. George L. Coffinberry, et al., as Members of the Industrial Commission of Ohio. — On petition for writ of certiorari to the Supreme Court of the State of Ohio.

216

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of Ohio, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Kentucky Trust Company, Executor of the Estate of Martin L. Schmidt,

Petitioner,

219 vs.

Selden R. Glenn, Collector of Internal Revenue.

On petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Sixth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Jovita Perez,

Petitioner,

220 vs.

The United States of America.

On petition for writ of certiorari to the United States Court of Customs and Patent Appeals.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Customs and Patent Appeals, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

The Andrew Jergens Company,

Petitioner,

225 vs.

National Labor Relations Board.

On petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Ninth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Thomas B. Morgan,

Petitioner,

227 vs.

C. B. Horrall, Chief of Police of the City of Los Angeles, County of Los Angeles, State of California.

On petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Ninth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

William R. Brown,

Petitioner,

228 vs.

Vincent O'Brien

On petition for writ of certiorari to the Supreme Court of the State of Illinois.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of Illinois, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Standard Duplicating Machines Company, Inc.,

Petitioner,

231 vs.

American Business Machines Corporation.

On petition for writ of certiorari to the United States Court of Appeals for the First Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the First Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

W. Brown Morton,

Petitioner,

232 vs.

Commissioner of Internal Revenue.

On petition for writ of certiorari to the United States Court of Appeals for the Second Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Second Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

The Colonial Trust Company of Pittsburgh, Pa., Agent for the Shareholders of the Bank of Pittsburgh National Association,

Petitioner,

233 vs.

Fidelity Trust Company, Trustee Under the Will of John A. Harper, Deceased.

On petition for writ of certiorari to the United States Court of Appeals for the Third Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Third Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Grant J. Cowher,

Petitioner,

234 vs.

The Pennsylvania Railroad Company.

On petition for writ of certiorari to the Appellate Court of the State of Illinois, First District.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Appellate Court of the State of Illinois, First District, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Frederick J. Boyce, Selma L. Boyce, Agnes S. Brodie, et al., Petitioners, vs. Chemical Plastics, Inc., Bankrupt.

239

On petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Eighth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Althea I. Cunningham, Petitioner, vs. City of Chicago, a Municipal Corporation.

243

On petition for writ of certiorari to the Appellate Court of the State of Illinois, First District.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Appellate Court of the State of Illinois, First District, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

The Baltimore and Ohio Railroad Company, Petitioner, vs. M. Hampton Magruder, Collector of Internal Revenue, etc.

251

On petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Fourth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Eureka Williams Corporation,

Petitioner,

253 vs.

Syncromatic Corporation.

On petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Seventh Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Wayne F. Woodruff,

Petitioner,

254 vs.

R. P. Balkcom, Jr., Warden, Georgia State Prison, Reidsville, Georgia.

On petition for writ of certiorari to the Supreme Court of the State of Georgia.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of Georgia, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Joseph F. Bent and William Amos Jones,

Petitioners,

263 vs.

The United States of America.

On petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Eighth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Aetna Life Insurance Company,
Petitioner,
264 vs.
Homer M. Preston.

On petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Seventh Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

L. C. Campbell, et al.,
Petitioners,
281 vs.
Beaver Bayou Drainage District.

On petition for writ of certiorari to the Supreme Court of the State of Arkansas.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of Arkansas, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Alfonso Battaglino,
Petitioner,
91 vs.
George C. Marshall, Secretary of State of the United States.

ON CONSIDERATION of the motion to substitute the party respondent in this case,

IT IS ORDERED that Dean G. Acheson, present Secretary of State, be substituted as the party respondent in place of George C. Marshall and that the cause be so continued and maintained.

Per Mr. Chief Justice Vinson.

Alfonso Battaglino,

Petitioner,

91 vs.

Dean G. Acheson, Secretary of State of the United States.

On petition for writ of certiorari to the United States Court of Appeals for the Second Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Second Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Turner Glass Corporation,

Petitioner,

92 vs.

Hartford-Empire Company, et al.

ON CONSIDERATION of the motion to dispense with printing the record in this case,

IT IS ORDERED by this Court that the said motion be, and it is hereby, granted.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this motion.

Turner Glass Corporation,

Petitioner,

92 vs.

Hartford-Empire Company, Owens-Illinois Glass Company, Hazel-Atlas Glass Company, et al.

On petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Seventh Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Black is of the opinion certiorari should be granted.

Mr. Justice Douglas took no part in the consideration or disposition of this application.

Andrew J. May, Petitioner, vs. The United States of America. On petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit.

100

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the District of Columbia Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Justice Black.

The Chief Justice and Mr. Justice Clark took no part in the consideration or decision of this application.

Murray Garsson, Petitioner, vs. The United States of America. On petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit.

101

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the District of Columbia Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Justice Black.

The Chief Justice and Mr. Justice Clark took no part in the consideration or decision of this application.

Henry M. Garsson, Petitioner, vs. The United States of America. On petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit.

102

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the District of Columbia Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Justice Black.

The Chief Justice and Mr. Justice Clark took no part in the consideration or decision of this application.

Ernst Schwenk,

Petitioner,

165 vs.

The United States of America.

ON CONSIDERATION of the motion to dispense with printing the petition and record in this case,

IT IS ORDERED by this Court that the said motion be, and it is hereby, granted.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this motion.

Ernst Schwenk,

Petitioner,

165 vs.

The United States of America.

On petition for writ of certiorari to the United States Court of Appeals for the Second Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Second Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Harry W. Schuermann,

Petitioner,

172 vs.

The United States of America.

ON CONSIDERATION of the motion to dispense with printing the record in this case,

IT IS ORDERED by this Court that the said motion be, and it is hereby, granted.

Per Mr. Chief Justice Vinson.

Harry W. Schuermann,

Petitioner,

172 vs.

The United States of America.

On petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Eighth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Maryland and Virginia Milk Producers Association, Inc., et al.,

Petitioners,

195 vs.

The United States of America.

On petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the District of Columbia Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Clark took no part in the consideration or decision of this application.

D. Lee Andrews,

Petitioner,

205 vs.

Hamilton County Hospital, et al.

ON CONSIDERATION of the motion to dispense with printing the record in this case,

IT IS ORDERED by this Court that the said motion be, and it is hereby, granted.

Per Mr. Chief Justice Vinson.

D. Lee Andrews, Petitioner,

205 vs.

Hamilton County Hospital, et al.

On petition for writ of certiorari to the Supreme Court of the State of Indiana.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of Indiana, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Jack Principale, Petitioner,

207 vs.

General Public Utilities Corporation, et al.

On petition for writ of certiorari to the United States Court of Appeals for the Second Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Second Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Auburn Savings Bank, Eastport Savings Bank and Skowhegan Savings Bank, Petitioners,

210 vs.

Portland Railroad Company, et al.

On petition for writ of certiorari to the Supreme Judicial Court of the State of Maine.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Judicial Court of the State of Maine, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Ralph L. Robinson,

Petitioner,

222 vs.

The United States of America; and

John S. Bleker, Jr.,

Petitioner,

223 vs.

The United States of America.

ON CONSIDERATION of the motion to dispense with printing the record in these cases,

IT IS ORDERED by this Court that the said motion be, and it is hereby, granted.

Per Mr. Chief Justice Vinson.

Ralph L. Robinson,

Petitioner,

222 vs.

The United States of America.

On petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Ninth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

John S. Bleker, Jr.,

Petitioner,

223 vs.

The United States of America.

On petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Ninth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Ben L. Beets,

Petitioner,

241 vs.

Walter A. Hunter, Warden, etc.

ON CONSIDERATION of the motion to dispense with printing the record in this case,

IT IS ORDERED by this Court that the said motion be, and it is hereby, granted.

Per Mr. Chief Justice Vinson.

Ben L. Beets, Petitioner,

241 vs.

Walter A. Hunter, Warden, United States Penitentiary, Leavenworth, Kansas.

On petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Tenth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Arthur W. Gibson,

Petitioner,

247 vs.

International Freighting Corporation.

ON CONSIDERATION of the motion of counsel for petitioner to proceed on typewritten papers in this case,

IT IS ORDERED by this Court that the said motion be, and it is hereby, granted.

Per Mr. Chief Justice Vinson.

Arthur W. Gibson,

Petitioner,

247 vs.

International Freighting Corporation.

On petition for writ of certiorari to the United States Court of Appeals for the Third Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Third Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Frank M. Cobb,

Petitioner,

261 vs.

Commissioner of Internal Revenue.

On petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Sixth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Black and Mr. Justice Jackson are of the opinion certiorari should be granted.

Virgil T. Brinegar,

Petitioner,

12 O.T. '48 vs.

The United States of America.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Clark took no part in the consideration or decision of this application.

The Farmers Reservoir and Irrigation Company,

Petitioner,

128 O. T. '48 vs.

William R. McComb, Administrator of the Wage and Hour Division, etc.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Clark took no part in the consideration or decision of this application.

William R. McComb, Administrator of the Wage and Hour Division, etc.,

Petitioner,

196 O. T. '48 vs.

The Farmers Reservoir and Irrigation Company.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Clark took no part in the consideration or decision of this application.

Interstate Oil Pipe Line Company,

Appellant,

287 O. T. '48 vs.

A. H. Stone, Chairman, State Tax Commission.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Clark took no part in the consideration or decision of this application.

Cosmopolitan Shipping Company, Inc.,

Petitioner,

351 O. T. '48 vs.

Robert A. McAllister.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Clark took no part in the consideration or decision of this application.

Otto A. Kohl,

Petitioner,

509 O. T. '48 vs.

Commissioner of Internal Revenue.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Clark took no part in the consideration or decision of this application.

Julius Ranny Ragan,

Petitioner,

522 O. T. '48 vs.

Merchants Transfer & Warehouse Company, Inc.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Clark took no part in the consideration or decision of this application.

Ajax Trucking Company, Inc.,

Appellant,

604 O.T. '48 vs.

Rollin Browne, et al., as and
Constituting the State Tax Commission
of the State of New York.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Clark took no part in the consideration or decision of this application.

Kaname Fujino,

Petitioner,

659 O. T. '48 vs.

Tom C. Clark, Attorney General of the
United States.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Clark took no part in the consideration or decision of this application.

Anna M. Tibbals and John J. Spriggs,

Petitioners,

740 O. T. '48 vs.

Mica Mountain Mines, Inc., et al.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Clark took no part in the consideration or decision of this application.

George F. Zimmermann,

Petitioner,

748 O. T. '48 vs.

The United States of America.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Clark took no part in the consideration or decision of this application.

Estella Latta, et al.,

Petitioners,

788 O. T. '48 vs.

Western Investment Company, et al.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Clark took no part in the consideration or decision of this application.

Continental Casualty Company,

Petitioner,

791 O. T. '48 vs.

The United States of America, For the Use of M. C. Schaefer, etc., et al.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Clark took no part in the consideration or decision of this application.

Irene B. Whetstone,

Petitioner,

826 O. T. '48 vs.

The United States of America.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Clark took no part in the consideration or decision of this application.

Julius Hall Lyons,

Petitioner,

852 O. T. '48 vs.

Capital Transit Company.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Clark took no part in the consideration or decision of this application.

James T. Keating,

Petitioner,

877 O. T. '48 vs.

The United States of America.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Clark took no part in the consideration or decision of this application.

Jess Larson, as War Assets Administrator, etc.,

Petitioner,

31 O. T. '48 vs.

Domestic and Foreign Commerce Corporation.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied. The alternative motion to amend the judgment and mandate is denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Clark took no part in the consideration or decision of this application.

Commissioner of Internal Revenue,

Petitioner,

84 O. T. '48 vs.

Pelham G. Wodehouse.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas and Mr. Justice Clark took no part in the consideration or decision of this application.

The United States,

Petitioner,

253 O. T. '48 vs.

Penn Foundry and Manufacturing Company, Inc.

ON CONSIDERATION of the petition for rehearing, or for modification of the judgment remanding the case for additional findings,

IT IS ORDERED by this Court that the petition for rehearing and request for modification of the judgment be, and they are hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Clark took no part in the consideration or decision of this application.

Standard Oil Company of California, et al.,

Appellants,

279 O. T. '48 vs.

The United States of America.

It is ordered that the first sentence of the first paragraph on page 19 of the slip opinion, which begins "In this connection it is significant that the qualifying language was . . ." be, and it is hereby, amended to read as follows:

"In this connection it is significant that the qualifying language was not added until after the House and Senate bills reached Conference."

Per Mr. Chief Justice Vinson.

Standard Oil Company of California, et al.,

Appellants,

279 O. T. '48 vs.

The United States of America.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Clark took no part in the consideration or decision of this application.

Henry M. Propper, as Receiver, etc.,

Petitioner,

390 O. T. '48 vs.

Tom C. Clark, Attorney General, as Successor to the Alien Property Custodian.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Justice Black.

The Chief Justice and Mr. Justice Clark took no part in the consideration or decision of this application.

Hyman Moore,

Petitioner,

525 O. T. '48 vs.

Commissioner of Internal Revenue.

ON CONSIDERATION of the motion for leave to file a petition for rehearing in this case,

IT IS ORDERED by this Court that the said motion be, and it is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Clark took no part in the consideration or decision of this application.

Longyear Holding Company, et al.,

Appellants,

649 O. T. '48 vs.

State of Minnesota.

ON CONSIDERATION of the motion for leave to file a second petition for rehearing in this case,

IT IS ORDERED by this Court that the said motion be, and it is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Burton and Mr. Justice Clark took no part in the consideration or decision of this application.

Samuel Titto Williams,

Appellant,

671 O. T., '48 vs.

The People of the State of New York.

ON CONSIDERATION of the petition for rehearing of the order of June 27, 1949, in this case,

IT IS ORDERED by this Court that the said petition be, and it is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Clark took no part in the consideration or decision of this application.

Irving Painblatt,

Petitioner,

795 O. T. '48 vs.

Commissioner of Internal Revenue; and

Irving Painblatt,

Petitioner,

796 O. T. '48 vs.

Commissioner of Internal Revenue.

ON CONSIDERATION of the motion for leave to file a petition for rehearing in these cases,

IT IS ORDERED by this Court that the said motion be, and it is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Clark took no part in the consideration or decision of this application.

The Carter Oil Company,

Petitioner,

810 O. T. '48 vs.

Marlan W. Ramsey and Ruby Ramsey.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied. The motion of petitioner for leave to file certified copy of the order of the Circuit Court of Fayette County is also denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Clark took no part in the consideration or decision of these applications.

Julius Edward Epple,

Petitioner,

66, Misc. O. T. '48 vs.

Clinton T. Duffy, Warden.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas and Mr. Justice Clark took no part in the consideration or decision of this application.

Frank Whelan,

Petitioner,

417, Misc. O. T. '48 vs.

The United States of America.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas and Mr. Justice Clark took no part in the consideration or decision of this application.

Langburn A. Wilde,

Petitioner,

440, Misc. O. T. '48 vs.

State of Louisiana.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas and Mr. Justice Clark took no part in the consideration or decision of this application.

Inez Horton Gay,

Petitioner,

581, Misc. O. T. '48 vs.

Liberty Union Trust Company, Executor and Trustee, etc.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas and Mr. Justice Clark took no part in the consideration or decision of this application.

Bernard M. Shotkin, et al.,

Petitioners,

598, Misc. O. T. '48 vs.

The Denver Publishing Company, et al.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas and Mr. Justice Clark took no part in the consideration or decision of this application.

Robert Reeves,

Petitioner,

628, Misc. O. T. '48 vs.

State of Georgia.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas and Mr. Justice Clark took no part in the consideration or decision of this application.

Alva Wallace,

Petitioner,

629, Misc. O. T. '48 vs.

The United States of America.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas and Mr. Justice Clark took no part in the consideration or decision of this application.

Irwin Edelman,

Petitioner,

666, Misc. O. T. '48 vs.

People of the State of California.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas and Mr. Justice Clark took no part in the consideration or decision of this application.

R. W. Agnew,

Petitioner,

480, Misc. O. T. '48 vs.

People of the State of California.

A second petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas and Mr. Justice Clark took no part in the consideration or decision of this application.

Larry J. [illegible], Petitioner, vs. J. J. Burke, Warden.

On petition for writ of certiorari to the Supreme Court of the Commonwealth of Pennsylvania.

4 Misc.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the Commonwealth of Pennsylvania, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

William Theodore Lovely, Petitioner, vs. The United States of America.

On petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit.

3, Misc.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Fourth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Clifford Daugharty, Petitioner, vs. The United States of America.

On petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit.

11, Misc.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Ninth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Michael Austin,

Petitioner,

12, Misc. vs.

People of the State of Michigan.

On petition for writ of certiorari to the Supreme Court of the State of Michigan.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of Michigan, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

James Kohoe,

Petitioner,

14, Misc. vs.

People of the State of California.

On petition for writ of certiorari to the Supreme Court of the State of California.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of California, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

W. E. Maxwell,

Petitioner,

19, Misc. vs.

Robert H. Hudspeth, Warden.

On petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Tenth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Jesse E. Small,
Petitioner,
20, Misc. vs.
Joseph E. Ragen, Warden.

On petition for writ of certiorari to the Circuit Court of Will County; Circuit Court of Hancock County, and the Supreme Court of the State of Illinois.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Circuit Court of Will County; Circuit Court of Hancock County, and the Supreme Court of the State of Illinois, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

James Darden,
Petitioner,
21, Misc. vs.
Joseph E. Ragen, Warden.

On petition for writ of certiorari to the Criminal Court of Cook County, State of Illinois.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Criminal Court of Cook County, State of Illinois, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Frank Lee,
Petitioner,
22, Misc. vs.
Joseph E. Ragen, Warden.

On petition for writ of certiorari to the Circuit Court of Will County, State of Illinois.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Circuit Court of Will County, State of Illinois, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Ray Abbott, Petitioner, vs. People of the State of Illinois.

25, Misc.

On petition for writ of certiorari to the Supreme Court of the State of Illinois.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of Illinois, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Francis R. McDonald, Petitioner, vs. R. H. Hudspeth, Warden.

27, Misc.

On petition for writ of certiorari to the Supreme Court of the State of Kansas.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of Kansas, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Truman W. Powell, Petitioner, vs. Leonard S. Turner, Sheriff.

28, Misc.

On petition for writ of certiorari to the Supreme Court of the State of Kansas.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of Kansas, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

[illegible] L. McConahay, Petitioner, vs. People of the State of California.

On petition for writ of certiorari to the Supreme Court of the State of California.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of California, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

James Robert Bacom, Petitioner, vs. State of Florida.

On petition for writ of certiorari to the Supreme Court of the State of Florida.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of Florida, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

William Rebeske, Petitioner, vs. People of the State of Michigan.

On petition for writ of certiorari to the Supreme Court of the State of Michigan.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of Michigan, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Henry E. Eberle,

Petitioner,

36, Misc. vs.

Edwin T. Swenson, Warden.

On petition for writ of certiorari to the Court of Appeals of the State of Maryland.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Court of Appeals of the State of Maryland, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Reyes Valdez,

Petitioner,

38, Misc. vs.

The People of the State of California, et al.

On petition for writ of certiorari to the Supreme Court of the State of California.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of California, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Dan Fields,

Petitioner,

40, Misc. vs.

Ben B. Stewart, Warden.

On petition for writ of certiorari to the Supreme Court of the State of Missouri.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of Missouri, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

David M. Johnson, Petitioner, vs. [illegible] Utah.

On petition for writ of certiorari to the Supreme Court of the State of Utah.

41, Misc.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of Utah, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Robert R. Nicholson, Petitioner, vs. Joseph E. Ragen, Warden.

On petition for writ of certiorari to the Circuit Court of Winnebago County, State of Illinois.

43, Misc.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Circuit Court of Winnebago County, State of Illinois, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Wesley Robert Wells, Petitioner, vs. The People of the State of California.

On petition for writ of certiorari to the Supreme Court of the State of California.

45, Misc.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of California, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Walter Wiotecha, Petitioner,
46, Misc. vs.
State of Michigan.

On petition for writ of certiorari to the Supreme Court of the State of Michigan.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of Michigan, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

John Brennan, Petitioner,
52, Misc. vs.
Joseph E. Ragen, Warden.

On petition for writ of certiorari to the Circuit Court of Will County, State of Illinois.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Circuit Court of Will County, State of Illinois, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Theodore Booker, Petitioner,
53, Misc. vs.
Joseph E. Ragen, Warden.

On petition for writ of certiorari to the Circuit Court of Will County, State of Illinois.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Circuit Court of Will County, State of Illinois, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Frank Hunter, et al., Petitioners, vs. Madison Avenue Corporation.

On petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit.

54, Misc.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Sixth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Helen Maxine Castor, Petitioner, vs. The United States of America, et al.

On petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit.

55, Misc.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Eighth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Earl Randall Freeland, Petitioner, vs. Warden, Maryland Penitentiary.

On petition for writ of certiorari to the Court of Appeals of the State of Maryland.

58, Misc.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Court of Appeals of the State of Maryland, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

George McKee,

Petitioner,

61, Misc. vs.

People of the State of New York.

On petition for writ of certiorari to the Supreme Court of the State of New York, Appellate Division, First Department.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of New York, Appellate Division, First Department, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Clarence Tucker,

Petitioner,

62, Misc. vs.

R. W. Alvis, Warden.

On petition for writ of certiorari to the Second District Court of Appeals, Franklin County, State of Ohio.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Second District Court of Appeals, Franklin County, State of Ohio, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Harris Bailey,

Petitioner,

63, Misc. vs.

Browning Robinson, Warden.

On petition for writ of certiorari to the Supreme Court of the State of Illinois.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of Illinois, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

[illegible] Allen, Petitioner, vs. People of the State of Illinois. 66, Misc.

On petition for writ of certiorari to the Circuit Court of Massac County, State of Illinois.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Circuit Court of Massac County, State of Illinois, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

O'Neal Massey, Petitioner, vs. [illegible], Misc. H. E. Moore, Warden.

On petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Fifth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Marshall Stevens, Petitioner, vs. 71, Misc. Robert A. Heinze, Warden.

On petition for writ of certiorari to the Supreme Court of the State of California.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of California, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Roy C. Blackburn, Petitioner, vs. State of Ohio. 72, Misc. On petition for writ of certiorari to the Supreme Court of the State of Ohio.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of Ohio, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Kenneth Lester Jenkins, Petitioner, vs. Tom Smith, Superintendent, etc. 74, Misc. On petition for writ of certiorari to the Supreme Court of the State of Washington.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of Washington, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Glenn Nathan Marsh, Petitioner, vs. People of the State of Illinois. 76, Misc. On petition for writ of certiorari to the Supreme Court of the State of Illinois.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of Illinois, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Commonwealth of Pennsylvania, ex rel. Albert Spader,

Petitioner,

77, Misc. vs.

C. J. Burke, Warden.

On petition for writ of certiorari to the Supreme Court of the Commonwealth of Pennsylvania.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the Commonwealth of Pennsylvania, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Mollie Nagle,

Petitioner,

81, Misc. vs.

Benjamin Cherney and Samuel H. Berger.

On petition for writ of certiorari to the Court of Appeals of the State of New York.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Court of Appeals of the State of New York, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Morris Leder,

Petitioner,

84, Misc. vs.

The People of the State of California, et al.

On petition for writ of certiorari to the Supreme Court of the State of California.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of California, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

The People of the State of Illinois, ex rel. James H. Anderson,
Petitioner,
87, Misc. vs.
Browning Robinson, Warden.

On petition for writ of certiorari to the Circuit Court of Randolph County, State of Illinois.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Circuit Court of Randolph County, State of Illinois, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

William Wilson, Jr.,
Petitioner,
93, Misc. vs.
State of Texas.

On petition for writ of certiorari to the Court of Criminal Appeals of the State of Texas.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Court of Criminal Appeals of the State of Texas, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Daniel P. Atwood,
Petitioner,
95, Misc. vs.
Warden, Maryland House of Correction.

On petition for writ of certiorari to the Court of Appeals of the State of Maryland.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Court of Appeals of the State of Maryland, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Bruce Pierce,

Petitioner,

7, Misc. vs.

Tom Smith, Superintendent.

On petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Ninth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Paul S. Campbell,

Petitioner,

111, Misc. vs.

Ralph N. Hidson, Warden.

On petition for writ of certiorari to the Supreme Court of the State of Missouri.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of Missouri, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Morgan A. Israel and Michael Patrick Marvich,

Petitioners,

112, Misc. vs.

People of the State of California.

On petition for writ of certiorari to the District Court of Appeal of the State of California, 4th District.

ON CONSIDERATION of the petition for a writ of certiorari herein to the District Court of Appeal of the State of California, 4th District, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Leroy Johnson, Petitioner, vs. Joseph E. Ragen, Warden.

On petition for writ of certiorari to the Criminal Court of Cook County, State of Illinois.

113, Misc.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Criminal Court of Cook County, State of Illinois, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Robert Winkenson, Petitioner, vs. Joseph E. Ragen, Warden.

On petition for writ of certiorari to the Circuit Court of Will County, State of Illinois.

114, Misc.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Circuit Court of Will County, State of Illinois, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Basil Baid, Petitioner, vs. W. C. Miller, Warden.

On petition for writ of certiorari to the Supreme Court of the State of Wyoming.

115, Misc.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of Wyoming, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

[illegible] States,

Petitioner,

117, Misc. vs.

People of the State of California, et al.

On petition for writ of certiorari to the Supreme Court of the State of California.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of California, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Henn H. Goodman,

Petitioner,

120, Misc. vs.

State of Iowa.

On petition for writ of certiorari to the Supreme Court of the State of Iowa.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of Iowa, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Earl Comiack,

Petitioner,

124, Misc. vs.

Gerald F. Bush, Warden, State Branch Prison, Marquette, Michigan.

On petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Sixth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Herman J. D. Carter,

Petitioner,

73, Misc. vs.

James Forrestal, Secretary of National Defense.

ON CONSIDERATION of the motion to extend the time to file a petition for writ of certiorari in this case,

IT IS ORDERED by this Court that the said motion be, and it is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Herman J. D. Carter,

Petitioner,

73, Misc. vs.

James Forrestal, Secretary of National Defense.

On petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the District of Columbia Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Herman Frederick Weber,

Petitioner,

100, Misc. vs.

Joseph E. Ragen, Warden.

On petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Seventh Circuit, it is ordered by this Court that the said petition be, and the same is hereby, dismissed.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

[illegible] Walker, Petitioner, vs. [illegible] E. Ragen, Warden.

On petition for writ of certiorari to the Criminal Court of Cook County, State of Illinois.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Criminal Court of Cook County, State of Illinois, It is ordered by this Court that the said petition be, and the same is hereby, denied without consideration of the questions raised therein and without prejudice to the institution by petitioner of proceedings in any Illinois state court of competent jurisdiction under the Act of August 4, 1949, entitled: "An Act to provide a remedy for persons convicted and imprisoned in the penitentiary, who assert that rights guaranteed them by the Constitution of the United States or the State of Illinois, or both, have been denied or violated, in proceedings in which they were convicted."

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Calogero Boscio, Petitioner, 26, Misc. vs. Joseph E. Ragen, Warden.

On petition for writ of certiorari to the Circuit Court of Winnebago County, State of Illinois.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Circuit Court of Winnebago County, State of Illinois, It is ordered by this Court that the said petition be, and the same is hereby, denied without consideration of the questions raised therein and without prejudice to the institution by petitioner of proceedings in any Illinois state court of competent jurisdiction under the Act of August 4, 1949, entitled: "An Act to provide a remedy for persons convicted and imprisoned in the penitentiary, who assert that rights guaranteed them by the Constitution of the [illegible] States or the State of Illinois, or both, have been denied or violated, in proceedings in which they were convicted."

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Joseph Villasenor,
Petitioner,
37, Misc. vs.
Joseph E. Ragen, Warden.

On petition for writ of certiorari to the Circuit Court of Will County, State of Illinois.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Circuit Court of Will County, State of Illinois, It is ordered by this Court that the said petition be, and the same is hereby, denied without consideration of the questions raised therein and without prejudice to the institution by petitioner of proceedings in any Illinois state court of competent jurisdiction under the Act of August 4, 1949, entitled: "An Act to provide a remedy for persons convicted and imprisoned in the penitentiary, who assert that rights guaranteed them by the Constitution of the United States or the State of Illinois, or both, have been denied or violated, in proceedings in which they were convicted."

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Edmond Arthur Rohde,
Petitioner,
42, Misc. vs.
People of the State of Illinois.

On petition for writ of certiorari to the Supreme Court of the State of Illinois.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of Illinois, It is ordered by this Court that the said petition be, and the same is hereby, denied without consideration of the questions raised therein and without prejudice to the institution by petitioner of proceedings in any Illinois state court of competent jurisdiction under the Act of August 4, 1949, entitled: "An Act to provide a remedy for persons convicted and imprisoned in the penitentiary, who assert that rights guaranteed them by the Constitution of the United States or the State of Illinois, or both, have been denied or violated, in proceedings in which they were convicted."

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Wardell Murphy,

Petitioner,

60, Misc. vs.

Joseph E. Ragen, Warden.

On petition for writ of certiorari to the Criminal Court of Cook County, State of Illinois.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Criminal Court of Cook County, State of Illinois, It is ordered by this Court that the said petition be, and the same is hereby, denied without consideration of the questions raised therein and without prejudice to the institution by petitioner of proceedings in any Illinois state court of competent jurisdiction under the Act of August 4, 1949, entitled: "An Act to provide a remedy for persons convicted and imprisoned in the penitentiary, who assert that rights guaranteed them by the Constitution of the United States or the State of Illinois, or both, have been denied or violated, in proceedings in which they were convicted."

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Leroy Cox,

Petitioner,

67, Misc. vs.

People of the State of Illinois.

On petition for writ of certiorari to the Circuit Court of Randolph County, State of Illinois.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Circuit Court of Randolph County, State of Illinois, It is ordered by this Court that the said petition be, and the same is hereby, denied without consideration of the questions raised therein and without prejudice to the institution by petitioner of proceedings in any Illinois state court of competent jurisdiction under the Act of August 4, 1949, entitled: "An Act to provide a remedy for persons convicted and imprisoned in the penitentiary, who assert that rights guaranteed them by the Constitution of the United States or the State of Illinois, or both, have been denied or violated, in proceedings in which they were convicted."

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Sterling Ferguson,

Petitioner,

103, Misc. vs.

Joseph E. Ragen, Warden.

On petition for writ of certiorari to the Criminal Court of Cook County, State of Illinois.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Criminal Court of Cook County, State of Illinois, It is ordered by this Court that the said petition be, and the same is hereby, denied without consideration of the questions raised therein and without prejudice to the institution by petitioner of proceedings in any Illinois state court of competent jurisdiction under the Act of August 4, 1949, entitled: "An Act to provide a remedy for persons convicted and imprisoned in the penitentiary, who assert that rights guaranteed them by the Constitution of the United States or the State of Illinois, or both, have been denied or violated, in proceedings in which they were convicted."

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Walder E. Berry,

Petitioner,

9, Misc. vs.

Dr. I. W. Steele, Warden.

ON CONSIDERATION of the motion for leave to file a petition for writ of habeas corpus herein,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

[illegible],

Petitioner,

[illegible] vs.

[illegible], Warden.

ON CONSIDERATION of the motion for leave to file a petition for writ of habeas corpus herein,

IT IS ORDERED by this Court that the said motion be, and the same is [illegible].

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Louis Hendron,

Petitioner,

[illegible], Misc. vs.

[illegible] A. Lainson, Warden.

ON CONSIDERATION of the motion for leave to file a petition for writ of habeas corpus herein,

IT IS ORDERED by this Court that the said motion be, and the same is [illegible].

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Francis M. Richardson,

Petitioner,

33, Misc. vs.

State of Pennsylvania.

ON CONSIDERATION of the motion for leave to file a petition for writ of habeas corpus herein,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

James Wilson,

Petitioner,

65, Misc. vs.

George Vice, U. S. Marshal, et al.

ON CONSIDERATION of the motion for leave to file a petition for writ of habeas corpus herein,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Ex parte Sol Newstead,

83, Misc. Petitioner.

ON CONSIDERATION of the motion for leave to file a petition for writ of habeas corpus herein,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

In the Matter of Dennis Holmes,

104, Misc. Petitioner.

ON CONSIDERATION of the motion for leave to file a petition for writ of habeas corpus herein,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

[illegible],

Petitioner,

122, Misc. vs.

Julian M. Frisbie, Warden.

ON CONSIDERATION of the motion for leave to file a petition for writ of habeas corpus herein,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Manuel Rogo Seren,

Petitioner,

29, Misc. vs.

Joseph E. Ragen, Warden.

ON CONSIDERATION of the motion for leave to file a petition for writ of certiorari in this case,

IT IS ORDERED by this Court that the said motion be, and it is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

William J. Schuble,

Petitioner,

34, Misc. vs.

on. Luther Swygert, District Judge.

ON CONSIDERATION of the motion for leave to file a petition for writ of mandamus in this case,

IT IS ORDERED by this Court that the said motion be, and it is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

People of the State of Illinois, ex rel.
Edward J. Sterba, Jr.,

Petitioner,

39, Misc. vs.

Chief Justice William Fulton, et al.

ON CONSIDERATION of the motion for leave to file a petition for writ of mandamus and for other relief,

IT IS ORDERED by this Court that the said motion be, and it is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Richard O'Neill,

Petitioner,

56, Misc. vs.

Browning Robinson, Warden.

ON CONSIDERATION of the motion for leave to file a petition for writ of certiorari in this case,

IT IS ORDERED by this Court that the said motion be, and it is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

In the Matter of James Albert Hence
and Mark D. Hannah,

109, Misc. Petitioners.

ON CONSIDERATION of the application submitted by James Albert Hence and Mark D. Hannah herein,

IT IS ORDERED by this Court that the said application be, and it is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

[illegible], [illegible], [illegible] - [illegible].

[illegible]leroy Brannan, et al.,

Petitioner,

16 vs.

[illegible]rotherhood of Locomotive Firemen and [illegible].

Argument by Mr. Joseph L. Rauh, Jr., for the petitioners and by Mr. [illegible].

[illegible]ican Communications Association, [illegible]. I. O., et al.,

Appellants,

10 vs.

[illegible]rles T. Douds, Individually and as [illegible]egional Director of the National Labor [illegible]elations Board, Second Region.

Argument commenced by Mr. Victor Rabinowitz for the appellants and [illegible] by Mr. Solicitor General Perlman for the appellee.

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Proclamation being made the Court is adjourned until tomorrow at 12 o'clock.

Pursuant to adjournment the Court met at the Supreme Court Building.

PRESENT:

The Honorable Fred M. Vinson, Chief Justice,
Hugo L. Black,
Stanley Reed,
Felix Frankfurter,
Robert H. Jackson,
Harold H. Burton,
Tom C. Clark. Associate Justices,
Thomas Donnalls Waggaman, Esquire, Marshal,
Charles Elmore Cropley, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Charles M. Walker, It is ordered that Clark C. Bowers, Esquire, of Washington, State of New Jersey; Martin Bry-Mildsen, Jr., Esquire, of Washington, State of New Jersey; and Wilbur M. Rush, Esquire, of Washington, State of New Jersey, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Walter F. Kaufman, It is ordered that Edwin G. Fiedler, Jr., Esquire, of Lancaster, Commonwealth of Pennsylvania, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Solicitor General Philip B. Perlman, It is ordered that Albert Franz, Esquire, of New York, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

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[illegible],
[illegible], et al.,

Appellants,

vs.

[illegible], individually and as
[illegible] Director of the National Labor
[illegible] Board, [illegible] Region.

Argument continued by Mr. Solicitor General Perlman for the appellee and concluded by Mr. Victor Rabinowitz for the appellants.

United Steelworkers of America, et al.,

Petitioners,

vs.

[illegible].

Argued by Mr. Thomas E. Harris for the petitioners and by Mr. Solicitor General Perlman for the respondent.

[illegible],

Petitioner,

vs.

Grand Trunk Western Railroad Company.

Argued by Mr. Melvin L. Griffith for the petitioner and by Mr. [illegible]. Gronewold and Mr. H. Victor Spiko for the respondent.

[illegible]. Treichler, Executor of the Estate
of [illegible] A. Millar,

Appellant,

vs.

[illegible].

Argument commenced by Mr. Alexander W. Schutz for the appellant and continued by Mr. Harold H. Persons for the appellee.

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Proclamation being made the Court is adjourned until tomorrow at 12 o'clock.

Pursuant to adjournment the Court met at the Supreme Court Building.

PRESENT:

The Honorable Fred M. Vinson, Chief Justice,
Hugo L. Black,
Stanley Reed,
Felix Frankfurter,
Robert H. Jackson,
Harold H. Burton,
Tom C. Clark,
Sherman Minton,
Associate Justices,

Thomas Emmalls Waggaman, Esquire, Marshal,

Charles Elmore Cropley, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Solicitor General Philip B. Perlman, It is ordered that V. Geigel Polanco, Esquire, of San Juan, Puerto Rico, and Jose Trias Monge, Esquire, of San Juan, Puerto Rico, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Winfield K. Denton, It is ordered that Homer D. Smith, Esquire, of Jeffersonville, State of Indiana; Edward N. Solly, Esquire, of Jeffersonville, State of Indiana; Warren W. Martin, Jr., Esquire, of Jeffersonville, State of Indiana; Owen Voigt, Esquire, of Jeffersonville, State of Indiana; Thomas S. Pointer, Esquire, of Jeffersonville, State of Indiana; Dixon W. Prentice, Esquire, of Jeffersonville, State of Indiana; and Albert Moranda, Esquire, of Jeffersonville, State of Indiana, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. B. K. Wheeler, It is ordered that Wallace L. Schubert, Esquire, of Willmar, State of Minnesota, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. S. F. [illegible], It is ordered that Milton P. Kupfer, Esquire, of New York, State of [illegible], be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. F. Cleveland Hedrick, Jr., It is ordered that David Elmer Ward, Esquire, of Tampa, State of Florida; John W. Donahoo, Esquire, of Jacksonville, State of Florida; and William T. Rogers, Esquire, of Jacksonville, State of Florida, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn [illegible].

On motion first made to the Court in this behalf by Mr. F. Granville Munson, It is ordered that Charles M. Münnecke, Esquire, of Lindstrom, State of Minnesota, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Miss Mildred E. Reeves, It is ordered that Jacob Kossman, Esquire, of Philadelphia, Commonwealth of Pennsylvania, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

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The Chief Justice said:

"The President has nominated and, with the advice and consent of the Senate, has appointed Circuit Judge Sherman Minton, of Indiana, to be an Associate Justice of this Court in succession to Associate Justice Wiley [illegible]edge, deceased. He has presented his commission and has taken the oaths prescribed by law. It is ordered that his commission be recorded and that his oaths be filed."

The commission of Mr. Justice Minton is in the words and figures following, viz:

"HARRY S. TRUMAN,

"PRESIDENT OF THE UNITED STATES OF AMERICA,

"To all who shall see these Presents, Greeting:

"KNOW YE; That reposing special trust and confidence in the Wisdom, Uprightness, and Learning of SHERMAN MINTON of Indiana, I have nominated, and, by and with the advice and consent of the Senate, do appoint him an Associate Justice of the Supreme Court of the United States and do authorize and empower him to execute and fulfil the duties of that Office according to the Constitution and Laws of the said United States, and to Have and to Hold the said Office, with all the powers, privileges and emoluments to the same of right appertaining, unto Him, the said Sherman Minton, during his good behavior.

"IN TESTIMONY WHEREOF, I have caused these Letters to be made patent and the seal of the Department of Justice to be hereunto affixed.

S E A L

"Done at the City of Washington this fifth day of October, in the year of our Lord one thousand nine hundred and forty-nine, and of the Independence of the United States of America the one hundred and seventy-fourth.

By the President:

HARRY S. TRUMAN

J. HOWARD McGRATH
Attorney General."

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Which said oath was in the words and figures following:

"I, SHERMAN MINTON, do solemnly swear (or affirm) that I will administer justice without respect to persons, and do equal right to the poor and to the rich, and that I will faithfully and impartially discharge and perform all the duties incumbent upon me as Associate Justice of the Supreme Court of the United States, according to the best of my abilities and understanding, agreeably to the Constitution and laws of the United States; and that I will support and defend the Constitution of the United States against all enemies, foreign and domestic; that I will bear true faith and allegiance to the same; that I take this obligation freely, without any mental reservation or purpose of evasion; and that I will well and faithfully discharge the duties of the office on which I am about to enter.

So help me God.

SHERMAN MINTON

Subscribed and sworn to (or affirmed)
before me this 12th day of October, 1949.

FRED M. VINSON
Chief Justice of the United States."

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Andrew J. May,

Petitioner,

100 vs.

The United States of America;

[illegible],

Petitioner,

101 vs.

The United States of America; and

Henry M. Garsson,

Petitioner,

102 vs.

The United States of America.

ON CONSIDERATION of the motions of counsel for the petitioners to withhold issuing the orders denying petitions for writs of certiorari in these cases,

IT IS ORDERED by this Court that the said motions be, and they are hereby, granted.

Per Mr. Justice Black.

The Chief Justice, Mr. Justice Clark, and Mr. Justice Minton took no part in the consideration or decision of these motions.

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Oscar F. Treichler, Executor of the Estate of Fred A. Miller,

Appellant,

20 vs.

State of Wisconsin.

Argument continued by Mr. Harold H. Persons for the appellee and concluded by Mr. Alexander W. Schutz for the appellant.

J. Howard McGrath, Attorney General, as Successor to the Alien Property Custodian,

Petitioner,

11 vs.

Manufacturers Trust Company; and

Manufacturers Trust Company,

Petitioner,

15 vs.

J. Howard McGrath, Attorney General, as Successor to the Alien Property Custodian.

Argued by Mr. Joseph W. Bishop, Jr., for J. Howard McGrath, Attorney General, etc., and by Mr. Leonard G. Bisco for Manufacturers Trust

[illegible].

[illegible],

Petitioner,

(V) vs.

[illegible].

[illegible]ment commenced by Mr. Robert W. Fulwider for the petitioner, [illegible] by Mr. Herbert A. Heubner for the respondent, and concluded by [illegible]. James P. Burns for the petitioner.

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Proclamation being made the Court is adjourned until tomorrow at 12 o'clock.

THURSDAY, OCTOBER 13, 1949.

Pursuant to adjournment the Court met at the Supreme Court Building.

PRESENT:

The Honorable Fred M. Vinson, Chief Justice,
Hugo L. Black,
Stanley Reed,
Felix Frankfurter,
Robert H. Jackson,
Harold H. Burton,
Tom C. Clark,
Sherman Minton,
Associate Justices,

Thomas Emmalls Waggaman, Esquire, Marshal,

Charles Elmore Cropley, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Jas. C. Davis, It is ordered that R. E. Lawson, Esquire, of Alma, State of Georgia, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Kyle I. Brooks, It is ordered that Gordon F. DeFosset, Esquire, of Cincinnati, State of Ohio, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Meredith M. Daubin, It is ordered that Eugene M. Klein, Esquire, of Cleveland, State of Ohio, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Wallace Haynes Walker, It is ordered that George A. Furness, Esquire, of Boston, Commonwealth of Massachusetts, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Alexander M. Campbell, It is ordered that Palmer K. Ward, Esquire, of Indianapolis, State of Indiana, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Edgar A. [illegible], It is ordered that Frank H. Walker, Esquire, of Mount Vernon, State of Illinois, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Irving R. [illegible]al, It is ordered that Herman L. Fast, Esquire, of Newark, State of New Jersey, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Miss Jean R. [illegible]oyer, It is ordered that Carroll Hutchinson Smith, Esquire, of La Mesa, State of California, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Charles Sylvanus Rhyne, It is ordered that Roger Arnebergh, Esquire, of Los Angeles, State of California, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Albert L. [illegible]land, It is ordered that Robert Miller Ward, Esquire, of Rock Hill, State of South Carolina, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

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Standard-Vacuum Oil Company,

Petitioner,

No. vs.

The United States.

Argued by Mr. Albert M. Connelly for the petitioner and by Mr. Newell A. Clapp for the respondent.

Louis A. Reilly, as Postmaster of the City of Newark, in the County of Essex and State of New Jersey,

Petitioner,

31 vs.

Joseph J. Pinkus, Trading as American Health Aids Company, Also Known as Energy Food Center.

Argued by Mr. Robert L. Stern for the petitioner and by Mr. Bernard G. Segal for the respondent.

The United States of America,

[illegible],

26. vs.

Westinghouse Electric and Manufacturing Co.

Argument commenced by Mr. Roger P. Marquis for the petitioner.

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[illegible]

[illegible] the Court met at the Supreme Court Building.

PRESENT:

The Honorable Fred M. Vinson, Chief Justice,
Hugo L. Black,
Stanley Reed,
Felix Frankfurter,
Robert H. Jackson, Associate Justices,
Harold H. Burton,
Tom C. Clark,
Sherman Minton.

Thomas Hannalls Waggaman, Esquire, Marshal,
Charles Elmore Cropley, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. E. K. Dubin, It is ordered that Ralph Herbert Cross, Sr., Esquire, of San Francisco, State of California, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Elmore Whitehurst, It is ordered that Donald L. Case, Esquire, of Dallas, State of Texas, and Willard S. Curtin, Esquire, of Morrisville, Commonwealth of Pennsylvania, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Isidore H. Wachtel, It is ordered that Abraham Lebenkoff, Esquire, of New York, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Roger P. Marquis, It is ordered that Edward Stover, Esquire, of Hoboken, State of New Jersey, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Howard J. Lowry, It is ordered that Vincent P. Clohisy, Esquire, of Arlington, Commonwealth of Virginia, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Miles H. Knowles, It is ordered that Archie C. Fraser, Esquire, of Detroit, State of Michigan, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Joseph J. McGovern, It is ordered that Margaret Frances McGovern, of Boston, Commonwealth of Massachusetts, be admitted to practice as an Attorney and Counsellor of this Court, and she was sworn accordingly. (Miss)

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ORDER

It is ordered that the following allotment be made of the Chief Justice and Associate Justices of this Court among the circuits, pursuant to Title 28, United States Code, section 42, and that such allotment be entered of record, viz:

For the District of Columbia Circuit, Fred M. Vinson, Chief Justice.
For the First Circuit, Felix Frankfurter, Associate Justice.
For the Second Circuit, Robert H. Jackson, Associate Justice.
For the Third Circuit, Harold H. Burton, Associate Justice.
For the Fourth Circuit, Fred M. Vinson, Chief Justice.
For the Fifth Circuit, Hugo L. Black, Associate Justice.
For the Sixth Circuit, Stanley Reed, Associate Justice.
For the Seventh Circuit, Sherman Minton, Associate Justice.
For the Eighth Circuit, Tom C. Clark, Associate Justice.
For the Ninth Circuit, William O. Douglas, Associate Justice.
For the Tenth Circuit, Tom C. Clark, Associate Justice.

Per Mr. Chief Justice Vinson.

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Andrew J. Moloney,

Petitioner,

374 vs.

Marjorie H. Moloney (Ailworth).

It is ordered that the time for making service of the petition for certiorari, brief, and record be extended to a date which is not later than 10 days after the giving of notice by the Clerk of this Court to counsel for the petitioner that the printed record has been delivered to such Clerk.

Per Mr. Chief Justice Vinson.

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The United States of America,

Petitioner,

26 vs.

Westinghouse Electric and Manufacturing Co.

Argument continued by Mr. Milton J. Donovan for the respondent and concluded by Mr. Roger P. Marquis for the petitioner.

Neroy Carter,

Petitioner,

23 vs.

Atlanta and Saint Andrews Bay Railway Company, a Body Corporate.

Argued by Mr. J. Kirkman Jackson for the petitioner and by Mr. B. D. Murphy for the respondent.

Stephen J. Roth, Attorney General of the State of Michigan,

Appellant,

24 vs.

Preston Delano, Comptroller of the Currency of the United States of America, et al.

Argument commenced by Mr. Julius H. Amberg for the appellant; continued by Mr. Stanley M. Silverberg for the appellee, and concluded by Mr.

Archie C. Fraser for the appellant.

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Proclamation being made the Court is adjourned until Monday, October 17, next, at 12 o'clock.

[illegible] adjournment the Court met at the Supreme Court Building.

[illegible]:

The Honorable Fred M. Vinson, Chief Justice,
Hugo L. Black,
Stanley Reed,
Felix Frankfurter,
Robert H. Jackson,
Harold H. Burton,
Tom C. Clark,
Sherman Minton. Associate Justices.

Thomas Ennalls Waggaman, Esquire, Marshal,
Charles Elmore Cropley, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Solicitor General Philip B. Perlman, It is ordered that Albert E. Saunders, Esquire, of Boston, Commonwealth of Massachusetts; Herbert S. Shapiro, Esquire, of Miami Beach, State of Florida; and Albert L. May, Esquire, of San Francisco, State of California, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. J. Lindsay Almond, Jr., It is ordered that Walter E. Rogers, Esquire, of Richmond, Commonwealth of Virginia, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Royal E. Jackson, It is ordered that John I. Pittman, Esquire, of Richmond, Commonwealth of Virginia, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Paul R. Hammel, It is ordered that Irving Kane, Esquire, of Cleveland, State of Ohio, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. George M. Morris, It is ordered that Justin W. Seymour, Esquire, of Orange, State of New Jersey, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. James Elden McFarland, It is ordered that Lillian M. Wollitz, of Oakland, State of California, be admitted to practice as an Attorney and Counsellor of this Court, and she was sworn accordingly. (Miss)

On motion first made to the Court in this behalf by Mr. Edward J. Hickey, Jr., It is ordered that Richard Randall Lyman, Esquire, of Toledo, State of Ohio, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Charles Clark, It is ordered that Arthur J. Dixon, Esquire, of Alexandria, Commonwealth of Virginia, and Earl E. Eisenhart, Jr., Esquire, of Chevy Chase, State of Maryland, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Daniel L. Boland, It is ordered that William P. Clocak, Esquire, of San Francisco, State of California, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Charles Sterling Landrum, It is ordered that H. T. Lively, Esquire, of Louisville, Commonwealth of Kentucky, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Bernard I. Nordlinger, It is ordered that Vernon Seigler, Esquire, of Forest Hills, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Clarence E. Parker, It is ordered that Raymond A. Walsh, Esquire, of Washington, District of Columbia, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Albert [illegible]ggess, It is ordered that Latimer Murfee, Esquire, of Houston, State of [illegible], be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Ernest F. [illegible], It is ordered that George Warren Wakefield, Esquire, of Los Angeles, State of California, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

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The Chief Justice announced the following orders of the Court:

Laura Dickinson, Appellant, vs. C. Fred Porter, State Comptroller of the State of Iowa, et al. — Appeal from the Supreme Court of the State of Iowa.

174

THIS CAUSE came on to be heard on the transcript of the record from the Supreme Court of the State of Iowa, and on motion to dismiss or affirm, [illegible] was duly submitted.

ON CONSIDERATION WHEREOF, It is now here ordered by this Court that the motion to dismiss the appeal herein be, and the same is hereby, granted.

IT IS FURTHER ORDERED that the appeal herein be, and the same is hereby, dismissed for the want of a substantial federal question.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this case.

Securities and Exchange Commission, Edmond M. Manrahan, et al.,

Petitioners,

vs.

Otis and Co.

Order allowing certiorari.

244

The petition herein for a writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit is granted.

And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Securities and Exchange Commission, Edmond M. Manrahan, et al.,

Petitioners,

vs.

Otis and Co.

On writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit.

244

THIS CAUSE came on to be heard on the transcript of the record from the United States Court of Appeals for the District of Columbia Circuit, and was duly submitted.

ON CONSIDERATION WHEREOF, It is now here ordered and adjudged by this Court that the judgment of the said United States Court of Appeals, in this cause, be, and the same is hereby, reversed; and that this cause be, and the same is hereby, remanded to the United States District Court for the District of Columbia for proceedings in conformity with the opinion of this Court.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this case.

United States of America and Commission,

Appellants,

vs.

Carrier Council of , Inc., et al.; and

Schreiber Trucking Co., Inc.,

Appellant,

vs.

Interstate Common Carrier Council of Maryland, Inc., et al.

Appeals from the United States District Court for the District of Maryland.

THIS CAUSE came on to be heard on the transcript of the record from the United States District Court for the District of Maryland, and was duly .

ON CONSIDERATION WHEREOF, It is now here ordered, adjudged, and decreed by this Court that the decree of the said District Court, in this cause, be, and the same is hereby, affirmed.

Per Mr. Chief Justice Vinson.

Mr. Justice Black and Mr. Justice Reed are of the opinion that probable jurisdiction should be noted and the cause set down for argument.

Mr. Justice Douglas took no part in the consideration or decision of this case.

Prince,

Appellant,

vs.

State of Mississippi.

ON CONSIDERATION of the motion for leave to proceed further herein in forma pauperis,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, granted.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this motion.

William W. Price,

Appellant,

319 vs.

State of Mississippi.

Appeal from the Supreme Court of the State of Mississippi.

THIS CAUSE came on to be heard on the transcript of the record from the Supreme Court of the State of Mississippi, and was duly submitted.

ON CONSIDERATION WHEREOF, It is now here ordered by this Court that the appeal herein be, and the same is hereby, dismissed for the want of jurisdiction.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this case.

William W. Price,

Appellant,

319 vs.

State of Mississippi.

Appeal from the Supreme Court of the State of Mississippi.

TREATING the appeal papers herein from the Supreme Court of the State of Mississippi as an application for a writ of certiorari;

ON CONSIDERATION WHEREOF, It is ordered by this Court that the said application for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Leroy Miller,

Appellant,

320 vs.

Marvin Wiggins, Superintendent, State Penitentiary, Parchman, Mississippi.

ON CONSIDERATION of the motion for leave to proceed further herein in forma pauperis,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, granted.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision

[illegible],

Appellant,

vs.

Marvin Wiggins, Superintendent, State Penitentiary, Parchman, Mississippi.

Appeal from the Supreme Court of the State of Mississippi.

520

THIS CAUSE came on to be heard on the transcript of the record from the Supreme Court of the State of Mississippi, and was duly submitted.

ON CONSIDERATION WHEREOF, It is now here ordered by this Court that the appeal herein be, and the same is hereby, dismissed for the want of jurisdiction.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this case.

Leroy Miller,

Petitioner,

vs.

Marvin Wiggins, Superintendent, State Penitentiary, Parchman, Mississippi.

On petition for writ of certiorari to the Supreme Court of the State of Mississippi.

520

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of Mississippi, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Black is of the opinion certiorari should be granted.

Mr. Justice Douglas took no part in the consideration or decision of this application.

[illegible],

Appellant,

vs.

State of Mississippi.

949

ON CONSIDERATION of the motion for leave to proceed further herein in forma pauperis,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, granted.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this motion.

Arthur Moore, Appellant, vs. State of Mississippi. Appeal from the Supreme Court of the State of Mississippi.

323

THIS CAUSE came on to be heard on the transcript of the record from the Supreme Court of the State of Mississippi, and was duly submitted.

ON CONSIDERATION WHEREOF, It is now here ordered by this Court that the appeal herein be, and the same is hereby, dismissed for the want of jurisdiction.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this case.

Arthur Moore, Appellant, vs. State of Mississippi. Appeal from the Supreme Court of the State of Mississippi.

323

TREATING the appeal papers herein from the Supreme Court of the State of Mississippi as an application for a writ of certiorari;

ON CONSIDERATION WHEREOF, It is ordered by this Court that the said application for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Black is of the opinion certiorari should be granted.

Mr. Justice Douglas took no part in the consideration or decision of this application.

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The Chief Justice said:

"The other orders of the Court appear upon the list certified by the Chief Justice and filed with the Clerk, and will not be announced orally."

In the Matter of Will Maslow.

ON CONSIDERATION of the motion to amend the Attorney Roll to show a change in the name of William Maslow to Will Maslow,

IT IS ORDERED by this Court that the said motion be, and it is hereby, granted.

Per Mr. Chief Justice Vinson.

John Haynes and Louis Richardson,

Petitioners,

61 vs.

Superior Court of the State of California, etc.

ON CONSIDERATION of the motion for leave to withdraw the appearance of W. H. Orrick as counsel for the respondent in this case,

IT IS ORDERED by this Court that the said motion be, and it is hereby, granted.

Per Mr. Chief Justice Vinson.

Capitol Greyhound Lines, et al.,

Appellants,

113 vs.

Arthur H. Brice, Commissioner of Motor Vehicles, State of Maryland.

The statement of jurisdiction in this case having been submitted and considered by the Court, probable jurisdiction is noted and the case is transferred to the summary docket.

Per Mr. Chief Justice Vinson.

The United States of America,

Appellant,

334 vs.

Shoreline Cooperative Apartments, Inc., et al.

The statement of jurisdiction in this case having been submitted and considered by the Court, probable jurisdiction is noted.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this question.

Regents of the University System of Georgia,

Petitioner,

83 vs.

W. E. Carroll, Clarence H. Calhoun, Mrs. Hattie J. Pickard, et al.

Order allowing certiorari.

The petition herein for a writ of certiorari to the Court of Appeals of the State of Georgia is granted. The case is transferred to the summary docket.

And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

The United States of America,

Petitioner,

98 vs.

Ernestina G. Fleischman.

Order allowing certiorari.

The petition herein for a writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit is granted.

And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

United States of America, Order allowing certiorari.

Petitioner,

vs.

The petition herein for a writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit is granted.

And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

The United States, Order allowing certiorari.

Petitioner,

vs.

Public Service Company, a Corporation.

The petition herein for a writ of certiorari to the United States Court of Claims is granted. The case is transferred to the summary docket.

And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

Shelly Oil Company, et al., Order allowing certiorari.

Petitioners,

vs.

Phillips Petroleum Company.

The petition herein for a writ of certiorari to the United States Court of Appeals for the Tenth Circuit is granted. The case is transferred to the summary docket and assigned for argument immediately following Regents of the University System of Georgia vs. Carroll, No. 83.

And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

Henry Wallace Winchester, et al., Petitioners,
vs.
J. D. Gregg.

On petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit.

109

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Ninth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

The United States of America, Petitioner,
vs.
The Colorado and Southern Railway Company.

On petition for writ of certiorari to the United States District Court for the District of Colorado.

149

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States District Court for the District of Colorado, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Thomas H. Brodhead, Doing Business as T. H. Brodhead Co., Petitioner,
vs.
William Borthwick, Tax Commissioner and Tax Collector of the Territory of Hawaii.

On petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit.

155

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Ninth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Campbell Soup Company and Carnation Company,

Petitioners,

vs.

and Company.

On petition for writ of certiorari to the United States Court of Appeals for the Third Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Third Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Roman Montoya,

Petitioner,

226 vs.

Tide Water Associated Oil Company.

On petition for writ of certiorari to the United States Court of Appeals for the Second Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Second Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Benjamin Richman,

Petitioner,

237 vs.

The United States of America.

On petition for writ of certiorari to the United States Court of Appeals for the Third Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Third Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

A. L. Willis, et al., Petitioners,

246 vs.

Barnsdall Oil Company, et al.

On petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Fifth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Lafayette M. Gray (Also Known as L. M. Gray), Petitioner,

252 vs.

The United States of America.

On petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Eighth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Steele's Mills, a Corporation and Wachovia Bank and Trust Company, as Trustee, Petitioners,

63 vs.

Charles H. Robertson, Collector of Internal Revenue for the Collection District of North Carolina.

On petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Fourth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

[illegible]inald Crane,

Petitioner,

203 vs.

The People of the State of Michigan.

On petition for writ of certiorari to the Supreme Court of the State of Michigan.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of Michigan, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

The United States,

Petitioner,

212 vs.

Seaboard Airline Railroad Company.

On petition for writ of certiorari to the United States Court of Claims.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Claims and of the argument of counsel thereupon had, it is ordered by this Court that the said petition be, and the same is hereby, [illegible].

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

[illegible] Barclay, Jr., Executor of the Estate of Rebecca Coulter Barclay, [illegible]d,

Petitioner,

240 vs.

The United States of America.

On petition for writ of certiorari to the United States Court of Appeals for the Third Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Third Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

James Sheppard Potts and Adam Empie Potts,

Petitioners,

260 vs.

J. K. Rader, as Administrator, et al.

On petition for writ of certiorari to the Supreme Court of the State of Arkansas.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of Arkansas, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

William J. B. Myres,

Petitioner,

262 vs.

The United States of America.

On petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Eighth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Harry F. Russell, Judge of the Circuit Court of the City of St. Louis, Missouri,

Petitioner,

269 vs.

The State of Missouri at the Relation of St. Louis-San Francisco Railway Company.

On petition for writ of certiorari to the Supreme Court of the State of Missouri.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of Missouri, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

[illegible],

Petitioner,

vs.

[illegible] F. Weltner, et al.

On petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit.

CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Fourth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

[illegible] E. Dillo,

Petitioner,

vs.

The Carter Oil Company, a Corporation; [illegible] A. Delaney, Jr., et al.

On petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit.

CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Tenth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

[illegible] Henderson, Herbert L. Hall, Jr., et al.,

Petitioners,

vs.

The Delaware Joint Toll Bridge Commission, and the City of Easton, Pennsylvania.

On petition for writ of certiorari to the Supreme Court of the Commonwealth of Pennsylvania.

CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the Commonwealth of Pennsylvania, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

People of the State of Illinois,
Petitioner,
339 vs.
John E. Sullivan, Liquidating Trustee, etc., et al.

On petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Seventh Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Bridge Auto Renting Corporation, Bridge Leasing Corporation, et al.,
Petitioners,
341 vs.
William J. Fedrick, Collector of Internal Revenue, et al.

On petition for writ of certiorari to the United States Court of Appeals for the Second Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Second Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

The United States of America,
Petitioner,
140 vs.
William Rosen.

On petition for writ of certiorari to the United States Court of Appeals for the Second Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Second Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Reed, Mr. Justice Frankfurter, and Mr. Justice Clark took no part in the consideration or decision of this application.

[illegible],

Petitioner,

vs.

[illegible] United States of America;

[illegible],

Petitioner,

vs.

United States of America;

The United States of America, ex rel.
[illegible],

Petitioner,

257 vs.

James Mulcahy, United States Marshal;

The United States of America, ex rel.
[illegible],

Petitioner,

258 vs.

James Mulcahy, United States Marshal; and

Hilbert Green,

Petitioner,

259 vs.

The United States of America.

ON CONSIDERATION of the motions to proceed on mimeographed copies of the record in these cases,

IT IS ORDERED by this Court that the said motions be, and they are hereby, granted.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of these motions.

Gus Hall,

Petitioner,

255. vs.

The United States of America.

On petition for writ of certiorari to the United States Court of Appeals for the Second Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Second Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Black is of the opinion certiorari should be granted. Mr. Justice Douglas took no part in the consideration or decision of this application.

Henry Winston,

Petitioner,

256 vs.

The United States of America.

On petition for writ of certiorari to the United States Court of Appeals for the Second Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Second Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Black is of the opinion certiorari should be granted. Mr. Justice Douglas took no part in the consideration or decision of this application.

The United States of America, ex rel. Gus Hall,

Petitioner,

257 vs.

James Mulcahy, United States Marshal.

On petition for writ of certiorari to the United States Court of Appeals for the Second Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Second Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Black is of the opinion certiorari should be granted. Mr. Justice Douglas took no part in the consideration or decision of this application.

United States of America, ex rel. Winston,

Petitioner,

vs.

Mulcahy, United States Marshal.

On petition for writ of certiorari to the United States Court of Appeals for the Second Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Second Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Black is of the opinion certiorari should be granted. Mr. Justice Douglas took no part in the consideration or decision of this application.

Green,

Petitioner,

vs.

The United States of America.

On petition for writ of certiorari to the United States Court of Appeals for the Second Circuit.

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ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Second Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Black is of the opinion certiorari should be granted. Mr. Justice Douglas took no part in the consideration or decision of this application.

Bruce Turner,

Petitioner,

vs.

The United States of America and State of Alabama.

On petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Fifth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Black and Mr. Justice Douglas took no part in the consideration or decision of this application.

Edmond C. Fletcher, Petitioner,
32, Misc. vs.
The United States of America.

On petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Fourth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Andrew Leonard Johnson, a Minor, by Moses Johnson, etc., Petitioner,
86, Misc. vs.
Atlantic Coast Line Railroad Co.

On petition for writ of certiorari to the Supreme Court of the State of Florida.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of Florida, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Edward E. De Fofi, Petitioner,
99, Misc. vs.
Commonwealth of Pennsylvania.

On petition for writ of certiorari to the Supreme Court of the Commonwealth of Pennsylvania.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the Commonwealth of Pennsylvania, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Albert W. Manning, Petitioner, vs. Joseph E. Ragen, Warden. — On petition for writ of certiorari to the Circuit Court of Will County of the State of Illinois.

123, Misc.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Circuit Court of Will County of the State of Illinois, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Edward Poppe, Petitioner, vs. Joseph E. Ragen, Warden. — On petition for writ of certiorari to the Circuit Court of Will County of the State of Illinois.

127, Misc.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Circuit Court of Will County of the State of Illinois, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

John J. Rollo and John J. Lannahan, Petitioners, vs. Julian N. Frisbie, Warden. — On petition for writ of certiorari to the Supreme Court of the State of Michigan.

132, Misc.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of Michigan, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Norman Lee Watkins,
Petitioner,
136, Misc. vs.
People of the State of California.

On petition for writ of certiorari to the District Court of Appeal, 2nd Appellate District, State of California.

ON CONSIDERATION of the petition for a writ of certiorari herein to the District Court of Appeal, 2nd Appellate District, State of California, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Regis Williams,
Petitioner,
142, Misc. vs.
People of the State of New York.

On petition for writ of certiorari to the Supreme Court of the State of New York.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of New York, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Luther L. Anderson,
Petitioner,
144, Misc. vs.
State of Missouri.

On petition for writ of certiorari to the Supreme Court of the State of Missouri.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of Missouri, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Paul Reeder, Petitioner, vs. Joseph E. Ragen, Warden.

On petition for writ of certiorari to the Circuit Court of Will County of the State of Illinois.

145, Misc.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Circuit Court of Will County of the State of Illinois, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Edward Bautz, Petitioner, vs. Joseph E. Ragen, Warden.

On petition for writ of certiorari to the Circuit Court of Will County of the State of Illinois.

147, Misc.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Circuit Court of Will County of the State of Illinois, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

John Eldon Wells, Petitioner, vs. Joseph E. Ragen, Warden.

On petition for writ of certiorari to the Circuit Court of Madison County of the State of Illinois.

148, Misc.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Circuit Court of Madison County of the State of Illinois, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Charles R. Kellogg,
Petitioner,
149, Misc. vs.
W. C. Miller, Warden.

On petition for writ of certiorari to the Supreme Court of the State of Wyoming.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of Wyoming, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

David Banks,
Petitioner,
154, Misc. vs.
Joseph E. Ragen, Warden.

On petition for writ of certiorari to the Supreme Court of the State of Illinois.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of Illinois, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Harry Lee Baldridge,
Petitioner,
158, Misc. vs.
Joseph E. Ragen, Warden.

On petition for writ of certiorari to the Supreme Court of the State of Illinois.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of Illinois, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

[illegible] Milhorn,

Petitioner,

[illegible], Misc. vs.

[illegible]h E. Ragen, Warden.

On petition for writ of certiorari to the Criminal Court of Cook County, State of Illinois.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Criminal Court of Cook County, State of Illinois, It is ordered by this Court that the said petition be, and the same is hereby, denied without consideration of the questions raised therein and without prejudice to the institution by petitioner of proceedings in any Illinois state court of competent jurisdiction under the Act of August 4, 1949, entitled: "An Act to provide a remedy for persons convicted and imprisoned in the penitentiary, who assert that rights guaranteed them by the Constitution of the United States or the State of Illinois, or both, have been denied or violated, in proceedings in which they were convicted."

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Thomas H. Bradshaw,

Petitioner,

130, Misc. vs.

Henry Raymond, Supt., Maryland State Reformatory for Males, et al.

ON CONSIDERATION of the motion for leave to file a petition for writ of habeas corpus herein,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Bufford McDowell,

Petitioner,

133, Misc. vs.

Alfred P. Dowd, Warden.

ON CONSIDERATION of the motion for leave to file a petition for writ of habeas corpus herein,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Aldino T. Carroll,

Petitioner,

135, Misc. vs.

Edwin T. Swenson, Warden, Maryland Penitentiary.

ON CONSIDERATION of the motion for leave to file a petition for writ of habeas corpus herein,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Leroy Switzer,

Petitioner,

134, Misc. vs.

Bert Rednour, Supt. of Illinois Security Hospital.

ON CONSIDERATION of the petition submitted by Leroy Switzer,

IT IS ORDERED by this Court that the said petition be, and it is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Ex parte F. M. Eugene Blass and E. Am. Association for Exygen-Therapy, Inc.,

137, Misc. Petitioners.

ON CONSIDERATION of the motion for leave to file a petition for writ of mandamus herein,

IT IS ORDERED by this Court that the said motion be, and it is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Farrell M. Lehigh,

Petitioner,

146, Misc. vs.

Honorable G. Mennen Williams, Governor of the State of Michigan, et al.

ON CONSIDERATION of the motion for leave to file a petition for writ of mandamus herein,

IT IS ORDERED by this Court that the said motion be, and it is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

In the Matter of Robert H. Best.

141, Misc.

ON CONSIDERATION of the application submitted herein by Robert H. Best,

IT IS ORDERED by this Court that the said application be, and it is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Alex M. Ferguson, Temporary Administrator, etc., et al.,

Petitioners,

377, Misc. O. T. '48 vs.

James E. Ferguson.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas, Mr. Justice Clark, and Mr. Justice Minton took no part in the consideration or decision of this application.

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The Court will take a recess from Monday, October 24, until Monday, November 7, next.

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Secretary of Agriculture,

Petitioner,

27 vs.

Central Roig Refining Company, Western Sugar Refining Company, et al.; and

Porto Rican American Sugar Refinery, Inc.,

Petitioner,

30 vs.

Central Roig Refining Company and Western Sugar Refining Company.

Argued by Mr. Neil Brooks for the petitioner in No. 27; by Mr. Orlando J. Antonsanti for the petitioner in No. 30, and by Mr. Frederic P. Lee for the respondents.

The Government of Puerto Rico,

Petitioner,

52 vs.

The Secretary of Agriculture, Porto Rican American Sugar Refinery, Inc., et al.

Argument commenced by Mr. Jose Trias Monge for the petitioner; continued by Mr. Walton Hamilton for the petitioner; by Mr. Donald R. Richberg for respondents, American Sugar Refining Co., et al.; by Mr. Neil Brooks for respondent, Secretary of Agriculture, and concluded by Mr. Walton Hamilton for the petitioner.

John Walter Oakley, Jr.,

Petitioner,

28 vs.

Louisville and Nashville Railroad Co., et al.; and

John S. Maynes,

Petitioner,

29 vs.

Cincinnati, New Orleans and Texas Pacific Railway Company, et al.

Argument commenced by Mr. Morton Liftin for the petitioners.

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Proclamation being made the Court is adjourned until tomorrow at 12 o'clock.

TUESDAY, OCTOBER 16, 1945.

Pursuant to adjournment the Court met at the Supreme Court Building.

PRESENT:

The Honorable Fred M. Vinson, Chief Justice,
Hugo L. Black,
Stanley Reed,
Felix Frankfurter,
Robert H. Jackson,
Harold H. Burton,
Tom C. Clark,
Sherman Minton. Associate Justices.

Thomas Brnalls Waggaman, Esquire, Marshal,

Charles Elmore Cropley, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Guy Cordon, It is ordered that Wilber Henderson, Esquire, of Portland, State of Oregon, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. William Perry Epes, It is ordered that Thos. M. Johnston, Esquire, of Norfolk, Commonwealth of Virginia, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Elliott H. Moyer, It is ordered that Arthur M. Lang, Esquire, of Detroit, State of Michigan, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Robert E. Quirk, It is ordered that Otis J. Gibson, Esquire, of Denver, State of Colorado, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. William A. Hyman, It is ordered that Harold W. Hayman, Esquire, of New York, State of New York, and Melville Harris, Esquire, of New York, State of New York, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. J. Franklin Bost, It is ordered that Anthony N. Zock, Esquire, of New York, State of New York, and John R. Shenoman, Esquire, of New York, State of New York, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Kyle F. Brooks, It is ordered that William David Brumbaugh, Jr., Esquire, of Greenville, State of Ohio, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Gerald F. Finley, It is ordered that Richard M. Maxwell, Esquire, of Atlanta, State of Georgia, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. William Paul Shelley, Jr., It is ordered that John Reid Beacham, Esquire, of West Palm Beach, State of Florida, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

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Murray Garsson,

Petitioner,

101 vs.

The United States of America; and

Henry M. Garsson,

Petitioner,

102 vs.

The United States of America.

On consideration of the motions for an extension of time to file petitions for rehearing in these cases,

IT IS ORDERED by this Court that the said motions be, and they are hereby, denied.

Per Mr. Justice Black.

The Chief Justice, Mr. Justice Clark, and Mr. Justice Minton took no part in the consideration or decision of these applications.

John Walter Oakley, Jr.,

Petitioner,

28 vs.

Louisville and Nashville Railroad Co., et al.; and

John S. Maynes,

Petitioner,

29 vs.

Cincinnati, New Orleans and Texas Pacific Railway Company, et al.

Argument continued by Mr. Morton Liftin for the petitioners; by Mr. C. S. Landrum for the respondent, Louisville and Nashville Railroad Co.; by Mr. Cornelius J. Petzhold for the respondent, Cincinnati, New Orleans and Texas Pacific Railway Company; by Mr. Richard R. Lyman for respondents, System Federation No. 21, et al.; and concluded by Mr. Morton Liftin for the petitioners.

The United States of America,

Petitioner,

42 vs.

Lillian Spolar, as Administratrix of the Estate of Mark Spolar, Deceased.

Argued by Mr. Samuel D. Slade for the petitioner and by Mr. Arnold B. Elkind for the respondent.

Lawrence C. Kingsland, Commissioner of Patents,

Petitioner,

53 vs.

Vernon M. Dorsey.

Argument commenced by Mr. Robert L. Stern for the petitioner.

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Proclamation being made the Court is adjourned until tomorrow at 12 o'clock.

Pursuant to adjournment the Court met at the Supreme Court Building.

PRESENT:

The Honorable Fred M. Vinson, Chief Justice,
Hugo L. Black,
Stanley Reed,
Felix Frankfurter,
Robert H. Jackson,
Harold H. Burton,
Tom C. Clark,
Sherman Minton.
Associate Justices.

Thomas Ennalls Waggaman, Esquire, Marshal,

Charles Elmore Cropley, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Leverett Saltonstall, It is ordered that Philip William Caporale, Esquire, of Springfield, Commonwealth of Massachusetts, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Herbert S. Ward, It is ordered that Angel Manuel Diaz Diaz, Esquire, of Cayey, Puerto Rico, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. John Leonard O'Brien, Jr., It is ordered that Kenneth J. Mullane, Esquire, of New York, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Joseph A. Morelli, It is ordered that Raymond W. Marst, Esquire, of Saint Louis, State of Missouri, and Frank M. Karsten, Esquire, of Saint Louis, State of Missouri, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. E. K. Gubin, It is ordered that Edward Nathan Jackson, Esquire, of San Francisco, State of

California, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Robert L. Stern, It is ordered that Herman Heyman, Esquire, of Atlanta, State of Georgia, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. George M. Morris, It is ordered that Felix Ochoteco, Jr., Esquire, of San Juan, Puerto Rico, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

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Lawrence C. Kingsland, Commissioner of Patents,

Petitioner,

53 vs.

Vernon M. Dorsey.

Argument continued by Mr. William E. Leahy for the respondent and concluded by Mr. Robert L. Stern for the petitioner.

Richard J. Brown,

Petitioner,

43 vs.

Western Railway of Alabama.

Argued by Mr. Richard M. Maxwell for the petitioner and by Mr. Herman Heyman for the respondent.

The United States of America,

Petitioner,

35 vs.

Aetna Casualty and Surety Company.

Argued by Mr. Leavenworth Colby for the petitioner and by Mr. William A. Hyman for the respondent.

The United States of America,

Petitioner,

36 vs.

World Fire and Marine Insurance Company.

ON CONSIDERATION of the motion of William A. Hyman that Jackson G. Akin be granted leave to appear and present oral argument for the respondent pro hac vice,

IT IS ORDERED by this Court that the said motion be, and it is hereby, granted.

Per Mr. Chief Justice Vinson.

The United States of America,

Petitioner,

36 vs.

World Fire and Marine Insurance Company.

Argument commenced by Mr. Leavenworth Colby for the petitioner.

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Proclamation being made the Court is adjourned until tomorrow at 12 o'clock.

THURSDAY, OCTOBER 20, 1946.

Pursuant to adjournment the Court met at the Supreme Court Building.

PRESENT:

The Honorable Fred M. Vinson, Chief Justice,
Hugo L. Black,
Stanley Reed,
Felix Frankfurter,
Robert H. Jackson,
Harold H. Burton,
Tom C. Clark,
Sherman Minton,
Associate Justices.

Thomas Ennalls Waggaman, Esquire, Marshal,

Charles Elmore Cropley, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Aaron Benenson, It is ordered that Elmer A. Rogers, Esquire, of New York, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. William H. Matthews, Jr., It is ordered that David A. Canel, Esquire, of Chicago, State of Illinois, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Brien McMahon, It is ordered that Thomas Dodd Healy, Esquire, of Chicago, State of Illinois, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Howard C. Wood, It is ordered that Anthony A. Di Grazia, Esquire, of Argo, State of Illinois, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Julius Schlezinger, It is ordered that T. Vincent Martin, Esquire, of Columbus, State of Ohio, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Alvin Olaf West, It is ordered that Garrett W. Olds, Esquire, of Indianapolis, State of Indiana, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. William Leavenworth Colby, It is ordered that Walter R. McDonald, Esquire, of Atlanta, State of Georgia, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. George Rogers, It is ordered that Robert H. McRoberts, Esquire, of Saint Louis, State of Missouri, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

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The United States of America,

Petitioner,

36 vs.

World Fire and Marine Insurance Company.

Argument continued by Mr. Jackson G. Akin for the respondent, pro hac vice, by special leave of Court, and concluded by Mr. Leavenworth Colby for the petitioner.

The United States of America,

Petitioner,

37 vs.

Yorkshire Insurance Company; and

The United States of America,

Petitioner,

38 vs.

The Home Insurance Company.

Argued by Mr. Leavenworth Colby for the petitioner and by Mr. Abraham Frankel for the respondents.

Manufacturers Trust Company, as Trustee Under an Indenture Made by the Debtor Under Date of September 27, 1933, and Individually,

Petitioner,

55 vs.

Regina Becker, et al.

Argued by Mr. Edward K. Manion for the petitioner and by Mr. David W. Kahn for the respondents.

The United States of America and Interstate Commerce Commission,

Appellants,

40 vs.

The Capital Transit Company, et al.; and

Washington, Virginia, and Maryland Coach Company, Inc., et al.,

Appellants,

41 vs.

The Capital Transit Company, et al.

Argument commenced by Mr. Philip Elman for the appellants, The United States and Interstate Commerce Commission.

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Proclamation being made the Court is adjourned until tomorrow at 12 o'clock.

Pursuant to adjournment the Court met at the Supreme Court Building.

PRESENT:

The Honorable Fred M. Vinson, Chief Justice,
Hugo L. Black,
Stanley Reed,
Robert H. Jackson,
Harold H. Burton,
Tom C. Clark,
Sherman Minton. Associate Justices.

Thomas Ennalls Waggaman, Esquire, Marshal,

Charles Elmore Cropley, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Thomas E. Byrne, Jr., It is ordered that Michael A. Foley, Esquire, of Philadelphia, Commonwealth of Pennsylvania, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Forrest C. Donnell, It is ordered that Myron D. Mills, Esquire, of Saint Louis, State of Missouri, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Charles E. McGee, It is ordered that Wm. Q. Boyce, Esquire, of Amarillo, State of Texas, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Morris Miller, It is ordered that Charles Abrams, Esquire, of New York, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Mastin G. White, It is ordered that George B. Hartzog, Jr., Esquire, of Walterboro, State of South Carolina, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Ellis N. Slack, It is ordered that Lura Owens Kent, of Richardson, State of Texas, be admitted to practice as an Attorney and Counsellor of this Court, and she was sworn accordingly. (Mrs.)

On motion first made to the Court in this behalf by Mr. Loran Paul Winings, It is ordered that Charles Gordon, Esquire, of Washington, District of Columbia, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

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Park-In Theatres, Inc.,

Petitioner,

170 vs.

Loew's Drive-In Theatres, Inc.

ON CONSIDERATION of the motion of counsel for petitioner to extend the time within which to file a petition for rehearing in this case,

IT IS ORDERED by this Court that the said motion be, and it is hereby, granted and the time is extended to and including November 9, 1949.

Per Mr. Chief Justice Vinson.

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The United States of America and
Interstate Commerce Commission,

Appellants,

40 vs.

The Capital Transit Company, et al.; and

Washington, Virginia and Maryland Coach Company, Inc., et al.,

Appellants,

41 vs.

The Capital Transit Company, et al.

Argument continued by Mr. Manuel J. Davis for the appellant, Washington, Virginia and Maryland Coach Co., Inc.; by Mr. S. Harrison Kahn for the appellant, Alexandria, Barcroft and Washington Transit Co.; by Mr. Samuel O. Clark, Jr., for the appellee, Capital Transit Co.; by Mr. Lloyd B. Harrison for the appellee, Public Utilities Commission of the District of Columbia; by Mr. Henry E. Hotner for the State Corporation Commission of the State of Virginia, as amicus curiae, by special leave of Court, and concluded by Mr. Philip Elman for the appellants, The United States and Interstate Commerce Commission.

Sarah O'Donnell, Administratrix of the Estate of William O'Donnell, Deceased,

Petitioner,

56 vs.

Elgin, Joliet and Eastern Railway Company.

Argued by Mr. Joseph D. Ryan for the petitioner and by Mr. Harlan L. Hackbert for the respondent.

Commissioner of Internal Revenue,

Petitioner,

57 vs.

William I. Connelly and Bertha Connelly.

Argued by Mr. Ellis N. Slack for the petitioner and by Mr. Caesar L. Aiello for the respondents.

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Proclamation being made the Court is adjourned until Monday, October 24, next, at 12 o'clock.

MONDAY, OCTOBER 24, 1949.

Pursuant to adjournment the Court met at the Supreme Court Building.

PRESENT:

The Honorable Fred M. Vinson, Chief Justice,
Hugo L. Black,
Stanley Reed,
Felix Frankfurter,
Robert H. Jackson,
Harold H. Burton,
Tom C. Clark,
Sherman Minton. Associate Justices.

Thomas Ennalls Waggaman, Esquire, Marshal,

Charles Elmore Cropley, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Wayne Lyman Morse, It is ordered that Jonas G. Schwartz, Esquire, of Minneapolis, State of Minnesota, and Robert N. Hislop, Esquire, of Belmont, State of New Hampshire, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Frank T. Bow, It is ordered that Andrew F. Schoeppel, Esquire, of Wichita, State of Kansas, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. John J. Carmody, It is ordered that Hubert A. Schneider, Esquire, of Washington, District of Columbia, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Milton I. Baldinger, It is ordered that William Robert Bloom, Esquire, of Los Angeles, State of California, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Daniel Francis Cleary, Jr., It is ordered that Patrick S. Filter, Esquire, of Chicago, State of Illinois, be admitted to practice as an Attorney and

Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. J. Stanley Payne, It is ordered that Wm. G. H. Acheson, Esquire, of New York, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. John Dillon Fitzgerald, It is ordered that Alfred W. Mitchem, Esquire, of Los Angeles, State of California, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. E. K. Gubin, It is ordered that Frank Pomeranz, Esquire, of San Diego, State of California, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Samuel E. Neel, It is ordered that Roger H. Weed, Esquire, of Boston, Commonwealth of Massachusetts, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

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The Chief Justice announced the following orders of the Court.

Reuben Franklin Baskin, by His Guardian ad litem and Trustee, Catherine Dunn,

Petitioner,

vs.

Industrial Accident Commission of the State of California, Kaiser Company, Inc., et al.

Order allowing certiorari.

224

The petition herein for a writ of certiorari to the District Court of Appeal of the State of California, First Appellate District, is granted.

And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Reuben Franklin Baskin, by His Guardian ad litem and Trustee, Catherine Dunn,

Petitioner,

224 vs.

Industrial Accident Commission of the State of California, Kaiser Company, Inc., et al.

On writ of certiorari to the District Court of Appeal of the State of California, First Appellate District.

THIS CAUSE came on to be heard on the transcript of the record from the District Court of Appeal of the State of California, First Appellate District, and was duly submitted.

ON CONSIDERATION WHEREOF, It is ordered and adjudged by this Court that the judgment of the said District Court of Appeal, in this cause, be, and the same is hereby, vacated without costs to either party in this Court; and that this cause be, and the same is hereby, remanded to the said District Court of Appeal for reconsideration in the light of Bethlehem Steel Co. vs. Moores, 335 U. S. 874, and Davis vs. Department of Labor, 317 U. S. 249, it appearing that the decision of this Court in Bethlehem Steel Co. vs. Moores, supra, affirming the decision of the Supreme Judicial Court of Massachusetts, 323 Mass. 462, was not available to the District Court of Appeal at the time of its consideration of this cause. See Minnesota vs. National Tea Co., 309 U. S. 551; State Tax Commission vs. Van Cott, 306 U. S. 511.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this case.

Eddie (Buster) Patton,

Appellant,

324 vs.

State of Mississippi.

ON CONSIDERATION of the motion for leave to proceed further herein in forma pauperis,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, granted.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this motion.

Eddie (Buster) Patton,

Appellant,

324 vs.

State of Mississippi.

Appeal from the Supreme Court of the State of Mississippi.

THIS CAUSE came on to be heard on the transcript of the record from the Supreme Court of the State of Mississippi, and was duly submitted.

ON CONSIDERATION WHEREOF, It is now here ordered by this Court that the appeal herein be, and the same is hereby, dismissed for the want of jurisdiction.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this case.

Eddie (Buster) Patton,

Petitioner,

324 vs.

State of Mississippi.

On petition for writ of certiorari to the Supreme Court of the State of Mississippi.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of Mississippi, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Jerry M. Gray, et al., Appellants, vs. The State of West Virginia. — Appeal from the Supreme Court of Appeals of the State of West Virginia.

326

THIS CAUSE came on to be heard on the transcript of the record from the Supreme Court of Appeals of the State of West Virginia, and on motion to dismiss or affirm, which was duly submitted.

ON CONSIDERATION WHEREOF, It is now here ordered by this Court that the motion to dismiss the appeal herein be, and the same is hereby, granted.

IT IS FURTHER ORDERED that the appeal herein be, and the same is hereby, dismissed for the want of a substantial federal question.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this case.

Acme Fast Freight, Inc., Merchant Shippers Association, Inc., et al., Appellants, vs. The United States of America, et al. — Appeal from the United States District Court for the Northern District of Illinois.

338

THIS CAUSE came on to be heard on the transcript of the record from the United States District Court for the Northern District of Illinois, and on motion to affirm, which was duly submitted.

ON CONSIDERATION WHEREOF, It is ordered by this Court that the motion to affirm the decree of the District Court in this cause be, and the same is hereby, granted.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that the decree of the District Court in this cause, be, and the same is hereby, affirmed.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this case.

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The Chief Justice said:

"The other orders of the Court appear upon the list certified by the Chief Justice and filed with the Clerk and will not be announced orally."

The United States of America, ex rel.
Richard Eichenlaub,

Petitioner,

vs.

W. Frank Watkins, as District Director
of Immigration, etc.

ON CONSIDERATION of the motion of the Solicitor General of the United States to substitute the party respondent in this case,

IT IS ORDERED by this Court that Edward J. Shaughnessy, Acting District Director of Immigration, etc., be substituted as the party respondent in place of W. Frank Watkins and that the cause be so continued and maintained.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this motion.

The United States of America, ex rel.
Otto A. Willumeit,

Petitioner,

vs.

W. F. Watkins, District Director of
Immigration, etc.

ON CONSIDERATION of the motion of the Solicitor General of the United States to substitute the party respondent in this case,

IT IS ORDERED by this Court that Edward J. Shaughnessy, Acting District Director of Immigration, etc., be substituted as the party respondent in place of W. Frank Watkins and that the cause be so continued and maintained.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this motion.

State of Illinois,

Complainant,

9, Original vs.

State of Indiana, City of East Chicago, et al.

ORDER

The Fourth Special Report of the Special Master is approved. The amended bill of complaint is dismissed as to (1) Cities Service Oil Company, pursuant to joint motion of complainant, State of Illinois, and the defendants, State of Indiana, City of East Chicago, and Cities Service Oil Company; (2) Cudahy Packing Company, pursuant to joint motion of complainant, State of Illinois, and the defendants, State of Indiana, City of East Chicago, and Cudahy Packing Company; (3) Inland Steel Company, pursuant to joint motion of complainant, State of Illinois, and the defendants, State of Indiana, City of East Chicago, and Inland Steel Company; (4) National Tube Company, pursuant to joint motion of complainant, State of Illinois, and the defendants, State of Indiana, City of Gary, Indiana, and National Tube Company; (5) Sinclair Refining Company, pursuant to joint motion of complainant, State of Illinois, and the defendants, State of Indiana, City of East Chicago, and Sinclair Refining Company; (6) and Socony-Vacuum Oil Company, Incorporated, pursuant to joint motion of complainant, State of Illinois, and the defendants, State of Indiana, City of East Chicago, and Socony-Vacuum Oil Company. Costs against these defendants are to be taxed in accordance with the recommendations of the Special Master.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this order.

State of Illinois,

Complainant,

9, Original vs.

State of Indiana, City of East Chicago, et al.

ORDER

The Fourth Interim Report of the Special Master dated September 7, 1949, is approved. The Court orders and directs the Special Master to continue the proceedings in accordance with the order of this Court dated February 17, 1947. The Court further orders that the recommendation of the Special Master as to the apportionment of costs be adopted and costs for the period from September 8, 1948, to September 7, 1949, inclusive, shall be taxed as recommended in the Fourth Interim Report.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this order.

State of Illinois,

Complainant,

9, Original vs.

State of Indiana, City of East Chicago, et al.

ORDER

ON CONSIDERATION of the fourth petition of the Special Master in this case dated September 7, 1949, for allowance of expenses and compensation;

IT IS ORDERED that Luther Ely Smith, Esquire, be, and he is hereby, awarded the sum of $6,000 as compensation for his services from September 8, 1948, to September 7, 1949.

IT IS FURTHER ORDERED that the expenses of the Special Master amounting to $2,431.48, itemized in the fourth petition, be, and they are hereby, approved and allowed.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this order.

Railway Labor Executives' Association,

Appellant,

337 vs.

The United States of America, et al.

The statement of jurisdiction in this case having been submitted and considered by the Court, probable jurisdiction is noted.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration of this order.

The United States, Order allowing certiorari.

Petitioner,

156 vs.

Commodities Trading Corporation, et al.

The petition herein for a writ of certiorari to the United States Court of Claims is granted. The case is transferred to the summary docket.

And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Commodities Trading Corporation, et al., Order allowing certiorari.

Petitioners,

163 vs.

The United States.

The petition herein for a writ of certiorari to the United States Court of Claims is granted. The case is transferred to the summary docket.

And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

The United States of America, Petitioner,

273 vs.

Morton Salt Company.

Order allowing certiorari.

The petition herein for a writ of certiorari to the United States Court of Appeals for the Seventh Circuit is granted.

And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas and Mr. Justice Minton took no part in the consideration or decision of this application.

The United States of America, Petitioner,

274 vs.

International Salt Company.

Order allowing certiorari.

The petition herein for a writ of certiorari to the United States Court of Appeals for the Seventh Circuit is granted.

And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas and Mr. Justice Minton took no part in the consideration or decision of this application.

City of Dallas, Petitioner,

186 vs.

D. W. Rentzel, Civil Aeronautics Administrator, Department of Commerce.

On petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Fifth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

The P. Dougherty Company, Petitioner, vs. The United States. 218

On petition for writ of certiorari to The United States Court of Claims.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Claims and of the argument of counsel thereupon had, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Joseph Sachs, Petitioner, vs. The Government of the Canal Zone. 267

On petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Fifth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

News Syndicate Co., Inc., Petitioner, vs. Janyce Mattox. 275

On petition for writ of certiorari to the United States Court of Appeals for the Second Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Second Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Houston Oil Company of Texas,
Petitioner,
276 vs.
American Republics Corporation.

On petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Fifth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Celia Wong,
Petitioner,
279 vs.
Maurice Finkelstein, Chairman, et al., Individually and as Members of, and Constituting the Temporary City Housing Rent Commission of the City of New York.

On petition for writ of certiorari to the Court of Appeals of the State of New York.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Court of Appeals of the State of New York, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

John L. Flynn, Trustee of Lithaloys Corporation and Lithaloys Corporation, Debtor,
Petitioners,
282 vs.
Reconstruction Finance Corporation.

On petition for writ of certiorari to the United States Court of Appeals for the Second Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Second Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Rosemary Cross, Petitioner, vs. Ilse Kiliani. 283

On petition for writ of certiorari to the Court of Appeals of the State of New York.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Court of Appeals of the State of New York, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

E. Clifford Heald, Petitioner, vs. The United States of America. 285

On petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Tenth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Louise B. Heald, Petitioner, vs. The United States of America. 286

On petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Tenth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Bailey Beald,
Petitioner,
287 vs.
The United States of America.

On petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Tenth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Lykes Bros. Steamship Co., Inc.,
Petitioner,
288 vs.
Frank Cannella.

On petition for writ of certiorari to the United States Court of Appeals for the Second Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Second Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Remington Rand, Inc.,
Petitioner,
289 vs.
Royal Typewriter Company, Inc.

On petition for writ of certiorari to the United States Court of Appeals for the Second Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Second Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Sam Coleman, Petitioner,
291 vs.
The State of Kansas.

On petition for writ of certiorari to the Supreme Court of the State of Kansas.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of Kansas, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

S. C. Johnson and Son, Inc., Petitioner,
294 vs.
John W. Johnson, Rupert H. Johnson, et al.

On petition for writ of certiorari to the United States Court of Appeals for the Second Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Second Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Phillip Himmelfarb, Petitioner,
295 vs.
The United States of America.

On petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Ninth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Sam Ormont,

Petitioner,

296 vs.

The United States of America.

On petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Ninth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Willapoint Oysters, Inc.,

Petitioner,

280 vs.

Oscar R. Ewing, Administrator, et al., etc.

ON CONSIDERATION of the motion to dispense with printing the record in this case,

IT IS ORDERED by this Court that the said motion be, and it is hereby, granted.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this motion.

Willapoint Oysters, Inc.,

Petitioner,

280 vs.

Oscar R. Ewing, Administrator, et al., Acting Administrator, Federal Security Agency, Food and Drug Administration.

On petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Ninth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Louis Bernard Lapides,

Petitioner,

284 vs.

Tom C. Clark, Attorney General, et al.

ON CONSIDERATION of the motion of the Solicitor General of the United States to substitute a party respondent in this case,

IT IS ORDERED by this Court that J. Howard McGrath, present Attorney General, be substituted as a party respondent in place of Tom C. Clark and that the cause be so continued and maintained.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this motion.

Louis Bernard Lapides, Petitioner, vs. J. Howard McGrath, Attorney General, and Watson B. Miller, Commissioner of Immigration and Naturalization Service. 284

On petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the District of Columbia Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Peter Buryce, Trustee of the Property of the New Jersey and New York Railroad Company, Petitioner, vs. Erie Railroad Company. 292

On petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Sixth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Fred Payne,

Petitioner,

290 vs.

The United States of America.

ON CONSIDERATION of the motion to dispense with printing the petition for writ of certiorari in this case,

IT IS ORDERED by this Court that the said motion be, and it is hereby, granted.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this motion.

Fred Payne,

Petitioner,

290 vs.

The United States of America; and

Eddie J. Briggs,

Petitioner,

318 vs.

The United States of America.

ON CONSIDERATION of the motions to dispense with printing the record in these cases,

IT IS ORDERED by this Court that the said motions be, and they are hereby, granted.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of these motions.

Fred Payne,

Petitioner,

291 vs.

The United States of America.

On petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Tenth Circuit, it is ordered by

this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Eddie J. Briggs, Petitioner, vs. The United States of America. 318

On petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Tenth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Hans Geisler, Petitioner, vs. The United States of America. 298

On petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Seventh Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas and Mr. Justice Minton took no part in the consideration or decision of this application.

[illegible]ester A. Bowles, Onetime Administrator, [illegible] Price Administration, For and [illegible] of the United States, and the [illegible] States of America,

Petitioners,

299 vs.

George F. Wilkie, et al.

On petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Seventh Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas and Mr. Justice Minton took no part in the consideration or decision of this application.

John Weber,

Petitioner,

157 O. T. '39 vs.

The United States of America.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Estella Latta, Jones M. Griffin, and Alvin Chambers,

Petitioners,

[illegible] O. T. '48 vs.

Western Investment Company, et al.

ON CONSIDERATION of the motion for leave to file a second petition for rehearing in this case,

IT IS ORDERED by this Court that the said motion be, and it is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this motion.

Ray H. Simmons, Petitioner,

57, Misc. vs.

Commonwealth of Pennsylvania.

On petition for writ of certiorari to the Supreme Court of the Commonwealth of Pennsylvania.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the Commonwealth of Pennsylvania, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

David Darcy, Petitioner,

96, Misc. vs.

Commonwealth of Pennsylvania.

On petition for writ of certiorari to the Supreme Court of the Commonwealth of Pennsylvania.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the Commonwealth of Pennsylvania, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Commonwealth of Pennsylvania, ex rel. David Darcy, Petitioner,

102, Misc. vs.

Earl D. Handy, Warden, Bucks County Prison.

On petition for writ of certiorari to the Supreme Court of the Commonwealth of Pennsylvania.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the Commonwealth of Pennsylvania, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Paul J. Schneider, Petitioner, vs. State of Colorado. — On petition for writ of certiorari to the Supreme Court of the State of Colorado.

107, Misc.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of Colorado, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Arthur Bruce Perkins, Petitioner, vs. John R. Cranor, Supt. — On petition for writ of certiorari to the Supreme Court of the State of Washington.

151, Misc.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of Washington, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Herman Barmore, Petitioner, vs. John P. Foster, Warden. — On petition for writ of certiorari to the Court of Appeals of the State of New York.

156, Misc.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Court of Appeals of the State of New York, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

John Homer Britt,
Petitioner,
164, Misc. vs.
Tom Smith, Supt.

On petition for writ of certiorari to the Supreme Court of the State of Washington.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of Washington, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

John Cordts,
Petitioner,
173, Misc. vs.
Joseph E. Ragen, Warden.

On petition for writ of certiorari to the Supreme Court of the State of Illinois.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of Illinois, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Robert G. Schuman,
Petitioner,
174, Misc. vs.
Robert A. Heinze, Warden.

On petition for writ of certiorari to the District Court of Appeal, 3rd Appellate District, State of California.

ON CONSIDERATION of the petition for a writ of certiorari herein to the District Court of Appeal, 3rd Appellate District, State of California, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

James J. Plaine,

Petitioner,

152, Misc. vs.

J. P. Burford, Warden.

ON CONSIDERATION of the motion for leave to file a petition for writ of habeas corpus herein,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

[redacted],

Petitioner,

161, Misc. vs.

Col. Edwin T. Swenson, Warden.

ON CONSIDERATION of the motion for leave to file a petition for writ of habeas corpus herein,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Clifford Pullins,

Petitioner,

163, Misc. vs.

W. W. Alvis, Warden.

ON CONSIDERATION of the motion for leave to file a petition for writ of habeas corpus herein,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Mary A. Ruthven,

Petitioner,

168, Misc. vs.

Dr. Winfred Overholser.

ON CONSIDERATION of the motion for leave to file a petition for writ of habeas corpus herein,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Everett Rhein,

Petitioner,

155, Misc. vs.

John F. Foster, Warden.

ON CONSIDERATION of the motion for leave to file a petition for writ of certiorari herein,

IT IS ORDERED by this Court that the said motion be, and it is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

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Mr. Justice Douglas took no part in the consideration or decision of the cases in which judgments and orders are this day announced.

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Proclamation being made the Court is adjourned until Monday, November 7, next, at 12 o'clock.

Pursuant to adjournment the Court met at the Supreme Court Building.

PRESENT:

The Honorable Fred M. Vinson, Chief Justice,
Hugo L. Black,
Stanley Reed,
Felix Frankfurter,
Robert H. Jackson,
Harold H. Burton,
Tom C. Clark,
Sherman Minton.
Associate Justices.

Thomas Ennalls Waggaman, Esquire, Marshal,

Charles Elmore Cropley, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Solicitor General Philip B. Perlman, It is ordered that Charles Constant Rankin, Esquire, of Lawrence, State of Kansas; Francis A. Burns, Esquire, of Pawtucket, State of Rhode Island; and Norman Kaufmann, Esquire, of Baltimore, State of Maryland, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. John E. Lyle, Jr., It is ordered that Matthew Vaughan Carson, Jr., Esquire, of Hearne, State of Texas, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Hugh T. Fullerton, It is ordered that Frank S. Richards, Esquire, of Oakland, State of California, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Harold W. Kennedy, It is ordered that Gerald Gregory Kelly, Esquire, of Los Angeles, State of California, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. A. Harry Becker, It is ordered that Jacob L. Sachs, Esquire, of Chicago, State of Illinois, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Suel O. Arnold, It is ordered that Carl A. Plom, Esquire, of Madison, State of Wisconsin, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Louis A. Gravelle, It is ordered that Norman J. Gatzert, Esquire, of San Francisco, State of California, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Albert Boggess, It is ordered that M. Gabriel Nahas, Jr., Esquire, of Houston, State of Texas, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Richard B. McIntire, It is ordered that L. M. Ascough, Esquire, of Topeka, State of Kansas, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Carl McFarland, It is ordered that Geo. H. Boldt, Esquire, of Tacoma, State of Washington, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Rudolph Halley, It is ordered that Thomas J. Todarelli, Esquire, of New York, State of New York, and Peter L. F. Sabbatino, Esquire, of New York, State of New York, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Allen Crenshaw, It is ordered that Joe R. Greenhill, Esquire, of Austin, State of Texas, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. David Rein, It is ordered that John T. McTernan, Esquire, of Los Angeles, State of California, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Miss Ruth Weyand, It is ordered that Meyer S. Ryder, Esquire, of Washington, District of Columbia, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Charles A. Horsky, It is ordered that Theodore Pearson, Esquire, of New York, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Thomas E. Harris, It is ordered that Harry Holliday George, Esquire, of Portland, State of Oregon, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

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Commissioner of Internal Revenue, Petitioner, vs. William I. Connelly and Bertha Connelly.

On writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit.

57

THIS CAUSE came on to be heard on the transcript of the record from the United States Court of Appeals for the District of Columbia Circuit, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is ordered and adjudged by this Court that the judgment of the said United States Court of Appeals, in this cause, be, and the same is hereby, reversed; and that this cause be, and the same is hereby, remanded to the said Court of Appeals for proceedings in conformity with the opinion of this Court.

Per Mr. Justice Minton.

Mr. Justice Frankfurter and Mr. Justice Douglas took no part in the consideration or decision of this case.

Oscar F. Treichler, Executor of the Estate of Fred A. Miller,

Appellant,

20 vs.

State of Wisconsin.

Appeal from the Supreme Court of the State of Wisconsin.

THIS CAUSE came on to be heard on the transcript of the record from the Supreme Court of the State of Wisconsin, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court, in this cause, be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the said Supreme Court for proceedings not inconsistent with the opinion of this Court.

Per Mr. Justice Clark.

Dissenting: Mr. Justice Black.

Mr. Justice Douglas took no part in the consideration or decision of this case.

J. Howard McGrath, Attorney General, as Successor to the Alien Property Custodian,

Petitioner,

11 vs.

Manufacturers Trust Company.

On writ of certiorari to the United States Court of Appeals for the Second Circuit.

THIS CAUSE came on to be heard on the transcript of the record from the United States Court of Appeals for the Second Circuit, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is ordered and adjudged by this Court that the judgment of the said United States Court of Appeals, in this cause, be, and the same is hereby, affirmed; and that this cause be, and the same is hereby, remanded to the United States District Court for the Southern District of New York.

Per Mr. Justice Burton.

Mr. Justice Douglas and Mr. Justice Clark took no part in the consideration or decision of this case.

Manufacturers Trust Company,

Petitioner,

15 vs.

J. Howard McGrath, Attorney General, as Successor to the Alien Property Custodian.

On writ of certiorari to the United States Court of Appeals for the Second Circuit.

THIS CAUSE came on to be heard on the transcript of the record from the United States Court of Appeals for the Second Circuit, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is ordered and adjudged by this Court that the judgment of the said United States Court of Appeals, in this cause, be, and the same is hereby, vacated; and that this cause be, and the same is hereby, remanded to the United States District Court for the Southern District of New York to permit such amendments of the pleadings or such further proceedings as shall be consistent with the opinion of this Court.

Per Mr. Justice Burton.

Mr. Justice Douglas and Mr. Justice Clark took no part in the consideration or decision of this case.

Stephen J. Roth, Attorney General of the State of Michigan, etc.,

Appellant,

24 vs.

Preston Delano, Comptroller of the Currency of the United States of America, et al.

Appeal from the United States Court of Appeals for the Sixth Circuit.

THIS CAUSE came on to be heard on the transcript of the record from the United States Court of Appeals for the Sixth Circuit, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is ordered and adjudged by this Court that the judgment of the said Court of Appeals in this cause, be, and the same is hereby, vacated; and that this cause be, and the same is hereby, remanded to the said Court of Appeals for such action as it may consider appropriate in the light of the opinion of this Court.

Per Mr. Justice Jackson.

Mr. Justice Douglas took no part in the consideration or decision of this case.

leroy Graham, et al.,

Petitioners,

16 vs.

Brotherhood of Locomotive Firemen and Enginemen.

On writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit.

THIS CAUSE came on to be heard on the transcript of the record from the United States Court of Appeals for the District of Columbia Circuit and was argued by counsel.

ON CONSIDERATION WHEREOF, It is ordered and adjudged by this Court that the judgment of the said Court of Appeals in this cause, be, and it is hereby, reversed with costs and the order of the District Court granting a preliminary injunction is reinstated.

IT IS FURTHER ORDERED that this cause, be, and it is hereby, remanded to the United States District Court for the District of Columbia for further proceedings in conformity with the opinion of this Court.

Per Mr. Justice Jackson.

Mr. Justice Douglas and Mr. Justice Minton took no part in the consideration or decision of this case.

The United States of America,

Petitioner,

42 vs.

Lillian Spelar, as Administratrix of the Estate of Mark Spelar, Deceased.

On writ of certiorari to the United States Court of Appeals for the Second Circuit.

THIS CAUSE came on to be heard on the transcript of the record from the United States Court of Appeals for the Second Circuit, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is ordered and adjudged by this Court that the judgment of the said United States Court of Appeals, in this cause, be, and the same is hereby, reversed; and that this cause be, and the same is hereby, remanded to the United States District Court for the Eastern District of New York for proceedings in conformity with the opinion of this Court.

Per Mr. Justice Reed.

Concurring opinion by Mr. Justice Frankfurter.
Concurring opinion by Mr. Justice Jackson.

Mr. Justice Douglas took no part in the consideration or decision of this case.

Alexander Boyd,

Petitioner,

17 vs.

Grand Trunk Western Railroad Company.

On writ of certiorari to the Supreme Court of the State of Michigan.

THIS CAUSE came on to be heard on the transcript of the record from the Supreme Court of the State of Michigan, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is ordered and adjudged by this Court that the judgment of the said Supreme Court, in this cause, be, and the same is hereby, reversed with costs; and that this cause, be, and the same is hereby, remanded to the said Supreme Court for proceedings not inconsistent with the opinion of this Court.

Per Mr. Chief Justice Vinson.

Mr. Justice Frankfurter and Mr. Justice Jackson concur in the result.

Mr. Justice Douglas took no part in the consideration or decision of this case.

Todd C. Faulkner, Petitioner, vs. John T. Gibbs. — On writ of certiorari to the United States Court of Appeals for the Ninth Circuit.

19

THIS CAUSE came on to be heard on the transcript of the record from the United States Court of Appeals for the Ninth Circuit, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is now here ordered and adjudged by this Court that the judgment of the said United States Court of Appeals, in this cause, be, and the same is hereby, affirmed with costs; and that this cause be, and the same is hereby, remanded to the United States District Court for the Southern District of California.

Per Mr. Chief Justice Vinson.

Mr. Justice Black is of the opinion that the language of the claims was too broad at the precise point where there was novelty, if there was novelty anywhere.

Mr. Justice Douglas took no part in the consideration or decision of this case.

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The Chief Justice announced the following orders of the Court:

Charles L. Dye, Warden of the Allegheny County Jail, Petitioner, vs. Leon Johnson, Alias Robert McMillan. — Order allowing certiorari.

332.

The petition herein for a writ of certiorari to the United States Court of Appeals for the Third Circuit is granted.

And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Charles L. Dye, Warden of the Allegheny County Jail,

Petitioner,

vs.

Leon Johnson, Alias Robert McMillan.

On writ of certiorari to the United States Court of Appeals for the Third Circuit.

THIS CAUSE came on to be heard on the transcript of the record from the United States Court of Appeals for the Third Circuit, and was duly submitted.

ON CONSIDERATION WHEREOF, It is ordered and adjudged by this Court that the judgment of the said United States Court of Appeals, in this cause, be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the United States District Court for the Western District of Pennsylvania for proceedings in conformity with the opinion of this Court.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this case.

Sheldon C. Vinsonhaler, et al., a Partnership, d/b/a KGHI Broadcasting Service, et al.,

Appellants,

342 vs.

Roy Beard, Collector for the City of Little Rock, Arkansas.

Appeal from the Supreme Court of the State of Arkansas.

THIS CAUSE came on to be heard on the transcript of the record from the Supreme Court of the State of Arkansas, and was duly submitted.

ON CONSIDERATION WHEREOF, It is now here ordered by this Court that the appeal herein be, and the same is hereby, dismissed for the want of a substantial federal question.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this case.

Avery Dexter, Appellant, vs. The State of Washington.

344

Appeal from the Supreme Court of the State of Washington.

THIS CAUSE came on to be heard on the transcript of the record from the Supreme Court of the State of Washington, and was duly submitted.

ON CONSIDERATION WHEREOF, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court, in this cause, be, and the same is hereby, affirmed with costs.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this case.

Lynchburg Traffic Bureau, Appellant, vs. The United States of America, Interstate Commerce Commission, et al.

363

Appeal from the United States District Court for the Western District of Virginia.

THIS CAUSE came on to be heard on the transcript of the record from the United States District Court for the Western District of Virginia, and on motion to affirm, which was duly submitted.

ON CONSIDERATION WHEREOF, It is now here ordered by this Court that the motion to affirm the decree of the District Court, in this cause, be, and the same is hereby, granted.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that the decree of the said District Court, in this cause, be, and the same is hereby, affirmed.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this case.

Western Union Division, The Commercial Telegraphers' Union, American Federation [illegible],

Appellant,

vs.

The United States of America, Federal Communications Commission and The Western Union Telegraph Company.

Appeal from the United States District Court for the District of Columbia.

THIS CAUSE came on to be heard on the transcript of the record from the United States District Court for the District of Columbia, and on motion to affirm, which was duly submitted.

ON CONSIDERATION WHEREOF, It is now here ordered by this Court that the motion to affirm the decree of the District Court, in this cause, be, and the same is hereby, granted.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that the decree of the said District Court, in this cause, be, and the same is hereby, affirmed.

Per Mr. Chief Justice Vinson.

Mr. Justice Black and Mr. Justice Douglas took no part in the consideration or decision of this case.

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The Chief Justice said:

"The other orders of the Court appear upon the list certified by the Chief Justice and filed with the Clerk and will not be announced orally."

Elmer W. Henderson,

Appellant,

vs.

The United States of America, et al.

ON CONSIDERATION of the motion of Sam Hobbs for leave to file a brief as amicus curiae in this case,

IT IS ORDERED by this Court that the said motion be, and it is hereby, granted.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this motion.

G. W. McLaurin,

Appellant,

34 vs.

Oklahoma State Regents for Higher Education, et al.

The statement of jurisdiction in this case having been submitted and considered by the Court, probable jurisdiction is noted.

Per Mr. Chief Justice Vinson.

Kenneth J. Mullane, as Special Guardian and Attorney, etc.,

Appellant,

378 vs.

Central Hanover Bank and Trust Company, as Trustee, etc., et al.

The statement of jurisdiction in this case having been submitted and considered by the Court, further consideration of the question of the jurisdiction of this Court is postponed to the hearing of the case on the merits.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this question.

Heman Marion Sweatt, Order allowing certiorari.

Petitioner,

44 vs.

Theophilis Shickel Painter, et al.

The petition herein for a writ of certiorari to the Supreme Court of the State of Texas is granted.

And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanies the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

Standard Oil Company, Order allowing certiorari.

Petitioner,

107 vs.

Federal Trade Commission.

The petition herein for a writ of certiorari to the United States Court of Appeals for the Seventh Circuit is granted.

And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas and Mr. Justice Minton took no part in the consideration or decision of this application.

District of Columbia, Order allowing certiorari.

Petitioner,

302 vs.

Geraldine Little, Alias Mildred Parker.

The petition herein for a writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit is granted.

And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

The Pennsylvania Railroad Company, On petition for writ of certiorari

Petitioner, to the United States Court of

177 vs. Appeals for the Second Circuit.

Clyde W. Krenger.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Second Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Louis Soblo,

Petitioner,

235 vs.

The State of Texas.

On petition for writ of certiorari to the Court of Criminal Appeals of the State of Texas.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Court of Criminal Appeals of the State of Texas, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

James T. Ritter,

Petitioner,

297 vs.

Commonwealth of Kentucky.

On petition for writ of certiorari to the Court of Appeals of the Commonwealth of Kentucky.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Court of Appeals of the Commonwealth of Kentucky, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

S/A Industrias Reunidas F. Matarazzo,

Petitioner,

301 vs.

Arthur Lewis Latimer.

On petition for writ of certiorari to the United States Court of Appeals for the Second Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Second Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

J. M. Sellers and Clara M. Sellers, et al.,

Petitioners,

vs.

Stanolind Oil and Gas Company.

On petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit.

305

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Tenth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Paper Container Mfg. Company,

Petitioner,

vs.

Dixie Cup Company.

On petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit.

304

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Seventh Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Thomas W. Smith, Jr.,

Petitioner,

vs.

John T. McLane, et al.

On petition for writ of certiorari to the United States Court of Appeals for the Third Circuit.

305

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Third Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Central Electric and Gas Company, Petitioner,

310 vs.

C. Russell Mattson, Administrator of the Estate of William Brehm, Deceased, et al.

On petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Eighth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Vincent Anthony Sorrentino, Petitioner,

311 vs.

The United States of America.

On petition for writ of certiorari to the United States Court of Appeals for the Third Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Third Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Joseph Zanzonico, Petitioner,

312 vs.

Michael Zanzonico, Individually and as Executor of Antonio Zanzonico, et al.

On petition for writ of certiorari to the Supreme Court of the State of New Jersey.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of New Jersey, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Pacific-Atlantic Steamship Co. and E. J. Lavino and Company,

Petitioners,

vs.

The United States of America.

On petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit.

514

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Fourth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

American Eastern Corporation,

Petitioner,

vs.

Jeremiah McCarthy.

On petition for writ of certiorari to the United States Court of Appeals for the Third Circuit.

515

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Third Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

[redacted] P. Schmidt, In His Own Right and as Agent and Representative of R. W. Baird, Jr., et al.,

Petitioners,

vs.

War Emergency Pipelines, Inc. and Reconstruction Finance Corporation.

On petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit.

521

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Eighth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Fawcett Publications, Inc., Petitioner, On petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit.

322 vs.

Bronze Publications, Inc. and Sam B. Solomon.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Fifth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Forrest M. Smith and Smith's Heating, Incorporated. Petitioners, On petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit.

325 vs.

General Foundry Machine Company, Incorporated, et al.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Fourth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Anthony Gussie, Petitioner, On petition for writ of certiorari to the Appellate Division of the Superior Court of the State of New Jersey.

327 vs.

Pennsylvania Railroad Company.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Appellate Division of the Superior Court of the State of New Jersey, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Roland J. Christy,

Petitioner,

328 vs.

[illegible] Denver, et al., Constituting the [illegible] Board of Law Examiners of [illegible] County.

On petition for writ of certiorari to the Supreme Court of the Commonwealth of Pennsylvania.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the Commonwealth of Pennsylvania, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Morris Klein,

Petitioner,

329 vs.

The United States of America.

On petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Eighth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Harry Burke,

Petitioner,

330 vs.

The United States of America.

On petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Eighth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Bernard Edward Co., Petitioner,

331 vs.

Douglass R. Falkenberg.

On petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Seventh Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

The United States of America, Petitioner,

333 vs.

Continental-American Bank and Trust Co., and Mercantile National Bank at Dallas.

On petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Fifth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Brister and Keester Lumber Corporation, Petitioner,

343 vs.

Edgar C. Turney, Director, Division of Liquidation, Department of Commerce.

On petition for writ of certiorari to the United States Emergency Court of Appeals.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Emergency Court of Appeals, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Sylvester D. Joy, et al., Petitioners,

345 vs.

Wesley McLaren Hague, et al.

On petition for writ of certiorari to the United States Court of Appeals for the First Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the First Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

American Dredging Company, Claimant and Owner of Tugs "James M. Knipe" and "Arthur M. Herron," Petitioner,

351 vs.

The United States of America, as Owner of Steamship "Norwich Victory."

On petition for writ of certiorari to the United States Court of Appeals for the Third Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Third Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

American Dredging Company, Individually and as Owner of the Dump Scows "No. 116," "No. 120" and "No. 122," Petitioner,

352 vs.

The United States of America, et al.

On petition for writ of certiorari to the United States Court of Appeals for the Third Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Third Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

May Taylor,

Petitioner,

356 vs.

Municipal Court of the City of Los Angeles and the Honorable Byron J. Walters, Judge Thereof.

On petition for writ of certiorari to the Supreme Court of the State of California.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of California, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

National Lead Company,

Petitioner,

386 vs.

Max Schuft and William G. Schuft (Plaintiffs) and Millers National Insurance Company, et al.

On petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Eighth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

International Union, United Mine Workers of America, et al.,

Petitioners,

168 vs.

The United States of America.

On petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the District of Columbia Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Black, Mr. Justice Reed, and Mr. Justice Douglas are of the opinion certiorari should be granted. Mr. Justice Clark took no part in the consideration or decision of this application.

International Union, United Mine Workers of America, et al.,

Petitioners,

169 vs.

The United States of America.

On petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the District of Columbia Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Black, Mr. Justice Reed, and Mr. Justice Douglas are of the opinion certiorari should be granted. Mr. Justice Clark took no part in the consideration or decision of this application.

Brotherhood of Locomotive Engineers, Brotherhood of Locomotive Firemen and Enginemen, et al.,

Petitioners,

182 vs.

The United States of America.

On petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the District of Columbia Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Clark took no part in the consideration or decision of this application.

Litol-McCullough, Inc.,

Petitioner,

307 vs.

Commissioner of Internal Revenue.

ON CONSIDERATION of the motion to dispense with printing the record in this case,

IT IS ORDERED by this Court that the said motion be, and it is hereby, granted.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this motion.

Eitel-McCullough, Inc., Petitioner, vs. Commissioner of Internal Revenue. 307 — On petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Ninth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

The United States of America, ex rel. Hermann Hoehn, Petitioner, vs. Edward J. Shaughnessy, as District Director of Immigration, etc. 308

ON CONSIDERATION of the motion to dispense with printing the petition and record in this case,

IT IS ORDERED by this Court that the said motion be, and it is hereby, granted.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this motion.

The United States of America, ex rel. Hermann Hoehn, Petitioner, vs. Edward J. Shaughnessy, as District Director of Immigration and Naturalization of the United States for the District of New York. 308 — On petition for writ of certiorari to the United States Court of Appeals for the Second Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Second Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Elmer Lee Wright,

Petitioner,

313 vs.

The United States of America.

ON CONSIDERATION of the motion of Billie Leonard Moore to join in the petition for writ of certiorari in this case,

IT IS ORDERED by this Court that the said motion be, and it is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this motion.

Elmer Lee Wright, Petitioner, vs. The United States of America. 313

On petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Eighth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Isidore B. Bernstein, Petitioner, vs. Hms Corporation. 316

On petition for writ of certiorari to the United States Court of Appeals for the Second Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Second Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Black is of the opinion certiorari should be granted. Mr. Justice Douglas took no part in the consideration or decision of this application.

Leon Kaminer,

Petitioner,

346 vs.

Tom C. Clark, Attorney General of the United States, et al.

ON CONSIDERATION of the motion of the Solicitor General of the United States to substitute one of the respondents in this case,

IT IS ORDERED that J. Howard McGrath, present Attorney General, be substituted as a party respondent in place of Tom C. Clark and that the cause be so continued and maintained.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this motion.

Leon Kaminer,

Petitioner,

346 vs.

J. Howard McGrath, Attorney General of the United States, et al.

On petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the District of Columbia Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Finis Grayson,

Petitioner,

3, Misc. vs.

H. E. Moore, Warden.

On petition for writ of certiorari to the Court of Criminal Appeals of the State of Texas.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Court of Criminal Appeals of the State of Texas, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

[illegible] S. [illegible]s,

Petitioner,

7, Misc. vs.

William H. Hiatt, Warden.

On petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Fifth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Johnnie P. Slaughter,

Petitioner,

15, Misc. vs.

The United States of America.

On petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the District of Columbia Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Primitivo Caban Montalvo,

Petitioner,

16, Misc. vs.

William H. Hiatt, Warden.

On petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Fifth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

George T. Jordan, Petitioner, vs. Winfred Overholser, Supt. — On petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit.

18, Misc.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the District of Columbia Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Charles T. Carroll, Petitioner, vs. The United States of America. — On petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit.

24, Misc.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Sixth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Carl Edelson, Petitioner, vs. E. E. Thompson, Warden. — On petition for writ of certiorari to the United States Court of Appeals for the Second Circuit.

59, Misc.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Second Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Earl A. Bell, Petitioner, vs. The United States of America. 64, Misc.

On petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Tenth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Bernard Hubert Tabor, Petitioner, vs. The United States of America. 70, Misc.

On petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Fourth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Floyd Haywood Delaney, Petitioner, vs. The United States of America. 75, Misc.

On petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Sixth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Gene McCann,
Petitioner,
80, Misc. vs.
The United States.

On petition for writ of certiorari to the United States Court of Appeals for the Second Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Second Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Gene McCann, et al.,
Petitioners,
116, Misc. vs.
Tom C. Clark, Attorney General.

On petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the District of Columbia Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Gene McCann, etc., et al.,
Petitioners,
121, Misc. vs.
Tom C. Clark, Individually, etc.

On petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the District of Columbia Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Gene McCann,

Petitioner,

126, Misc. vs.

Tom C. Clark, Attorney General of the United States.

On petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the District of Columbia Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Gene McCann,

Petitioner,

131, Misc. vs.

Tom C. Clark, Attorney General, etc.

On petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the District of Columbia Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Gene McCann, etc.,

Petitioner,

157, Misc. vs.

Tom C. Clark, etc.

On petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the District of Columbia Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Charles Lee McIntosh, Petitioner, vs. United States.

82, Misc.

On petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Eighth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Ray Berg, Petitioner, vs. United States.

85, Misc.

On petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Ninth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Allen T. Reid, Petitioner, vs. State of North Carolina.

129, Misc.

On petition for writ of certiorari to the Supreme Court of the State of North Carolina.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of North Carolina, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

[illegible] ayo,

Petitioner,

162, Misc. vs.

T. J. Burke, Warden.

On petition for writ of certiorari to the Supreme Court of the Commonwealth of Pennsylvania.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the Commonwealth of Pennsylvania, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

[illegible],

Petitioner,

167, Misc. vs.

Joseph E. Ragen, Warden.

On petition for writ of certiorari to the Supreme Court of the State of Illinois.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of Illinois, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Joseph Scarpinato,

Petitioner,

172, Misc. vs.

Joseph E. Ragen, Warden.

On petition for writ of certiorari to the Circuit Court of Will County of the State of Illinois.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Circuit Court of Will County of the State of Illinois, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Gene McCann,

Petitioner,

91, Misc. vs.

The United States.

ON CONSIDERATION of the petition submitted herein by Gene McCann, . . IT IS ORDERED by this Court that the said petition be, and it is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this petition.

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Eugene Dennis,

Petitioner,

14 . . vs.

The United States of America.

Argued by Mr. George W. Crockett, Jr., for the petitioner and by Mr. Solicitor General Perlman for the respondent.

Rosette Sorge Savorgnan,

Petitioner,

48 vs.

The United States of America, J. Howard McGrath, the Attorney General of the United States of America, et al.

Argument commenced by Mr. Carl A. Flom and Mr. Suel O. Arnold for the petitioner and continued by Mr. Oscar H. Davis for the respondents.

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Proclamation being made the Court is adjourned until tomorrow at 12 o'clock.

[illegible] adjournment the Court met at the Supreme Court Building.

PRESENT:

The Honorable Fred M. Vinson, Chief Justice,
Hugo L. Black,
Stanley Reed,
Felix Frankfurter,
Robert H. Jackson,
Harold H. Burton,
Tom C. Clark,
Sherman Minton. Associate Justices.

Thomas Ennalls Waggaman, Esquire, Marshal,

Charles Elmore Cropley, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Charles W. [illegible], It is ordered that Jeff D. Duty, Esquire, of Little Rock, State of Arkansas, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Harold D. [illegible], it is ordered that J. Donner Austin, Esquire, of Detroit, State of Michigan, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Oscar H. [illegible], it is ordered that Frank Dale Morgan, Esquire, of Los Angeles, State of California, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

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Rosette Sorge Savengnan,

Petitioner,

vs.

The United States of America, J. Howard McGrath, the Attorney General of the United States of America, et al.

Argument continued by Mr. Oscar H. Davis for the respondents and concluded by Mr. Suel O. Arnold for the petitioner.

The United States,

Petitioner,

45 vs.

Helen W. Benedict and Frank B. Smith,
as Trustees, et al.

Argued by Mr. Arnold Raum for the petitioner and by Mr. Theodore Pearson for the respondents.

Helen Parker, Ione Lane Wheeler,
Katherine Gates, et al.,

Petitioners,

49 vs.

County of Los Angeles, et al.; and

Julia Learner Steiner,

Petitioner,

50 vs.

County of Los Angeles, et al.

Argued by Mr. A. L. Wirin for the petitioner in No. 50, by Mr. John T. McTernan for the petitioners in No. 49, and by Mr. Gerald G. Kelly for the respondents.

John Hughes and Louis Richardson,

Petitioners,

61 vs.

Superior Court of the State of California In
and For the County of Contra Costa.

Argument commenced by Mr. Bertram Edises for the petitioners.

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Proclamation being made the Court is adjourned until tomorrow at 12 o'clock.

Pursuant to adjournment the Court met at the Supreme Court Building.

Present:

The Honorable Fred M. Vinson, Chief Justice,
Hugo L. Black,
Stanley Reed,
Felix Frankfurter,
Robert H. Jackson,
Harold H. Burton,
Tom C. Clark,
Sherman Minton. Associate Justices.

Thomas Ennalls Waggaman, Esquire, Marshal,
Charles Elmore Cropley, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. John E. Lyle, Jr., It is ordered that Chris J. Dixie, Esquire, of Houston, State of Texas, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. William B. [illegible], It is ordered that Kenneth B. Johnston, Esquire, of Columbus, State of Ohio, and Harry M. Miller, Esquire, of Columbus, State of Ohio, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Ed Gossett, It is ordered that Philip S. Kouri, Esquire, of Wichita Falls, State of Texas, and Elmer H. Parish, Esquire, of Wichita Falls, State of Texas, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Bernard [illegible], It is ordered that William [illegible]. Heidenberg, Esquire, of Louisville, Commonwealth of Kentucky, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. William A. Dougherty, It is ordered that Charles William Cooper, Esquire, of New York, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Vincent B. Welch, It is ordered that Robert L. Heald, Esquire, of Washington, District of Columbia, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

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Elmer Lee Wright,

Petitioner,

313 vs.

The United States of America.

ON CONSIDERATION of the motion of counsel for petitioner to stay the issuance of the order denying a petition for writ of certiorari in this case,

IT IS ORDERED by this Court that the said motion be, and it is hereby, denied.

Per Mr. Chief Justice Vinson.

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John Hughes and Louis Richardson,

Petitioners,

61 vs.

Superior Court of the State of California
In and For the County of Contra Costa.

Argument continued by Mr. Bertram Edises for the petitioners, by Mr. Frank S. Richards for the respondent, and concluded by Mr. Bertram Edises for the petitioners.

[illegible],

Petitioner,

vs.

[illegible]oronto, Hamilton and Buffalo
[illegible]avigation Company.

Argued by Mr. Paul A. Sweeney for the petitioner and by Mr. Gerald [illegible]. Dwyer for the respondent.

[illegible]ry Hole and Louis Jones,

Petitioners,

vs.

[illegible] OF [illegible]ANSAS.

Argued by Mr. Thomas E. Harris for the petitioners and by Mr. Jeff [illegible]y for the respondent.

Jesse Miller Sinclair,

Petitioner,

vs.

The United States of America.

Argued by Mr. Jacob Kossman for the petitioner and by Mr. John R. [illegible]ney for the respondent.

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Proclamation being made the Court is adjourned until tomorrow at 12 o'clock.

Pursuant to adjournment the Court met at the Supreme Court Building.

PRESENT:

The Honorable Fred M. Vinson, Chief Justice,
Hugo L. Black,
Stanley Reed,
Felix Frankfurter,
Robert H. Jackson,
Harold H. Burton,
Tom C. Clark,
Sherman Minton. Associate Justices.

Thomas Ennalls Waggaman, Esquire, Marshal,
Charles Elmore Cropley, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Ed Gossett, It is ordered that Frank Ikard, Esquire, of Wichita Falls, State of Texas, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. C. B. Garnett, It is ordered that Barron F. Black, Esquire, of Norfolk, Commonwealth of Virginia, and Hugh Stockdell Meredith, Esquire, of Norfolk, Commonwealth of Virginia, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Harry Clifton Ames, It is ordered that Wm. A. Disque, Esquire, of Washington, District of Columbia, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Raymond F. Body, It is ordered that R. Edwin Hough, Esquire, of Fort Smith, State of Arkansas, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. David Walker Richmond, It is ordered that Gilbert H. Hennessey, Jr., Esquire, of Chicago, State of Illinois, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Joseph Exner, It is ordered that Harriet Bouslog, of Honolulu, Territory of Hawaii, be admitted to practice as an Attorney and Counsellor of this Court, and she was sworn accordingly. (Mrs.)

On motion first made to the Court in this behalf by Mr. Oliver Bassuener, It is ordered that Francis J. Smrcina, Esquire, of Wausau, State of Wisconsin, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Charles Millard Hayes, It is ordered that Allan R. Redrow, Esquire, of New Holland, Commonwealth of Pennsylvania, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Peter Campbell Brown, It is ordered that Stuart M. Steinbrink, Esquire, of Brooklyn, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Hermann J. Hughes, It is ordered that Joseph R. Stewart, Esquire, of Kansas City, State of Missouri, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

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Federal Power Commission,

Petitioner,

/1 vs.

East Ohio Gas Company, et al.

Argued by Mr. Bradford Ross for the petitioner; by Mr. William B. Jeffrey for the respondent, East Ohio Gas Co.; by Mr. Harry M. Miller for

the respondents, State of Ohio and Public Utilities Commission of Ohio; and by Mr. Walter G. Sehnall for Indiana Public Service Commission, et al., as amici curiae, by special leave of Court.

Lee Cassell,

Petitioner,

46 vs.

The State of Texas.

Argued by Mr. Chris Mixis for the petitioner and by Mr. Joe R. Greenhill for the respondent.

Roo Motors, Inc.,

Petitioner,

59 vs.

Commissioner of Internal Revenue.

Argument commenced by Mr. Jerad S. Ryan for the petitioner.

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Proclamation being made the Court is adjourned until Monday, November 14, next, at 12 o'clock.

Pursuant to adjournment the Court met at the Supreme Court Building.

PRESENT:

The Honorable Fred M. Vinson, Chief Justice,
Hugo L. Black,
Stanley Reed,
Felix Frankfurter,
Robert H. Jackson,
Harold H. Burton,
Tom C. Clark,
Sherman Minton,
Associate Justices.

Thomas Ennalls Waggaman, Esquire, Marshal,

Charles Elmore Cropley, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Solicitor General Philip B. Perlman, It is ordered that Henry J. Brandt, Esquire, of Chicago, State of Illinois, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Bertram M. Landesman, It is ordered that Abraham I. Horn, Esquire, of New York, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Davidson Sommers, It is ordered that Robert M. Benjamin, Esquire, of New York, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. John J. O'Connor, It is ordered that Alexander Kahan, Esquire, of New York, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Albert A. Carretta, It is ordered that Harold M. Leeds, Esquire, of New York, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Wesley W. Coulliette, It is ordered that Howard E. Sutherland, Esquire, of Indianapolis, State of Indiana, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Raymond C. Cushwa, It is ordered that Moses G. Hubbard, Esquire, of Utica, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Ray S. Donaldson, It is ordered that Elizabeth Lee Shriner, of South Bend, State of Indiana, be admitted to practice as an Attorney and Counsellor of this Court, and she was sworn accordingly. (Mrs.)

On motion first made to the Court in this behalf by Mr. Benjamin E. Pierce, It is ordered that Benjamin Eugene Pierce, Jr., Esquire, of Augusta, State of Georgia, and Franklin H. Pierce, Esquire, of Augusta, State of Georgia, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

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John Walter Oakley, Jr., Petitioner, vs. Louisville & Nashville Railroad Co., et al.

On writ of certiorari to the United States Court of Appeals for the Sixth Circuit.

28

THIS CAUSE came on to be heard on the transcript of the record from the United States Court of Appeals for the Sixth Circuit, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is ordered and adjudged by this Court that the judgment of the said United States Court of Appeals, in this cause, be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the United States District Court for the Eastern District of Kentucky for further proceedings in conformity with the opinion of this Court.

Per Mr. Justice Burton.

Mr. Justice Jackson concurs in the result.

Mr. Justice Douglas took no part in the consideration or decision of this case.

John S. Haynes,

Petitioner,

29 vs.

Cincinnati, New Orleans and Texas Pacific Railway Company, et al.

On writ of certiorari to the United States Court of Appeals for the Sixth Circuit.

THIS CAUSE came on to be heard on the transcript of the record from the United States Court of Appeals for the Sixth Circuit, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is ordered and adjudged by this Court that the judgment of the said United States Court of Appeals, in this cause, be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the United States District Court for the Eastern District of Kentucky for further proceedings in conformity with the opinion of this Court.

Per Mr. Justice Burton.

Mr. Justice Jackson concurs in the result.

Mr. Justice Douglas took no part in the consideration or decision of this case.

The United States of America and Interstate Commerce Commission,

Appellants,

40 vs.

The Capital Transit Company, The Public Utilities Commission of the District of Columbia, et al.

Appeal from the United States District Court for the District of Columbia.

THIS CAUSE came on to be heard on the transcript of the record from the United States District Court for the District of Columbia, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is ordered, adjudged, and decreed by this Court that the decree of the said District Court in this cause be, and the same is hereby, reversed; and that this cause be, and the same is hereby, remanded to the said District Court with directions to dismiss the complaints.

Per Mr. Justice Black.

Dissenting: The Chief Justice, Mr. Justice Reed, and Mr. Justice Jackson.

Mr. Justice Douglas took no part in the consideration or decision of this case.

Washington, Virginia & Maryland Coach Company, Inc., and Alexandria, Barcroft and Washington Transit Company,

Appellants,

41 vs.

The Capital Transit Company, The Public Utilities Commission of the District of Columbia, et al.

Appeal from the United States District Court for the District of Columbia.

THIS CAUSE came on to be heard on the transcript of the record from the United States District Court for the District of Columbia, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is ordered, adjudged, and decreed by this Court that the decree of the said District Court in this cause be, and the same is hereby, reversed, appellants to recover their costs in this Court from the Capital Transit Company.

IT IS FURTHER ORDERED that this cause be, and the same is hereby, remanded to the said District Court with directions to dismiss the complaints.

Per Mr. Justice Black.

Dissenting: The Chief Justice, Mr. Justice Reed, and Mr. Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this case.

Louis A. Reilly, as Postmaster of the City of Newark, in the County of Essex and State of New Jersey,

Petitioner,

vs.

Joseph J. Pinkus, Trading as American Health Aids Company, Also Known as Energy Food Center.

On writ of certiorari to the United States Court of Appeals for the Third Circuit.

51

This cause came on to be heard on the transcript of the record from the United States Court of Appeals for the Third Circuit, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is ordered and adjudged by this Court that the judgment of the said Court of Appeals, in this cause, be, and the same is hereby, affirmed, without prejudice to a reopening of the proceedings against respondent to permit additional hearings should the Postmaster General choose to do so.

IT IS FURTHER ORDERED that this cause be, and the same is hereby, remanded to the United States District Court for the District of New Jersey.

Per Mr. Justice Black.

Mr. Justice Douglas took no part in the consideration or decision of this case.

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The Chief Justice announced the following order of the Court:

I. Harry Goodley,

Appellant,

421 vs.

The People of the State of California.

ON CONSIDERATION of the motion for leave to proceed further herein in forma pauperis,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, granted.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this motion.

I. Harry Goodley, Appellant, vs. The People of the State of California. 421

Appeal from the Superior Court of the State of California, Los Angeles County, Appellate Department.

THIS CAUSE came on to be heard on the transcript of the record from the Superior Court of the State of California, Los Angeles County, Appellate Department, and was duly submitted.

ON CONSIDERATION WHEREOF, It is now here ordered by this Court that the appeal herein be, and the same is hereby, dismissed for the want of a substantial federal question.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this case.

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The Chief Justice said:

"The other orders of the Court appear upon the list certified by the Chief Justice and filed with the Clerk and will not be announced orally."

...is A. Johnson, Secretary of Defense of the United States, et al., — Order allowing certiorari.

Petitioners,

vs.

Lothar Eisentrager, Alias Ludwig Ehrhardt, on His Own Behalf and as Next Friend of Franz Siebert, et al.

The petition herein for a writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit is granted.

And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

...F. Roth, Attorney General, ... to Eugene P. Black, Attorney ..., etc., — On petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit.

Petitioner,

vs.

Preston Delano, Comptroller of the Currency of the United States of America, et al.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Sixth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

...iley Pranton, — On petition for writ of certiorari to the Supreme Court of the State of Arkansas.

Petitioner,

162 vs.

State of Arkansas.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of Arkansas, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

School District of the Borough of Centerville,

Petitioner,

347 vs.

Jones and Laughlin Steel Corporation.

On petition for writ of certiorari to the Supreme Court of the Commonwealth of Pennsylvania.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the Commonwealth of Pennsylvania, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

School District of the Borough of Centerville,

Petitioner,

348 vs.

Jones and Laughlin Steel Corporation.

On petition for writ of certiorari to the Supreme Court of the Commonwealth of Pennsylvania.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the Commonwealth of Pennsylvania, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

School District of the Borough of Centerville,

Petitioner,

349 vs.

Jones and Laughlin Steel Corporation.

On petition for writ of certiorari to the Supreme Court of the Commonwealth of Pennsylvania.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the Commonwealth of Pennsylvania, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Frank V. [illegible] and Mabel P. Decker, Individually and Doing Business as [illegible] Company,

Petitioners,

vs.

Federal Trade Commission.

On petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the District of Columbia Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

The Motors Association of California (a Corporation),

Petitioner,

vs.

Rederiaktiebolaget Frode (a Corporation), Owner of the Steamship "Frej"

On petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Ninth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

317

[illegible] Black,

Petitioner,

vs.

Louis A. Johnson, Secretary of Defense, Gordon Gray, Secretary of the Army, et al.

On petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the District of Columbia Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Black is of the opinion certiorari should be granted.
Mr. Justice Douglas and Mr. Justice Jackson took no part in the consideration or decision of this application.

Thomas L. Oldfield,

Petitioner,

340 vs.

SS Arthur P. Fairfield, Her Engines, etc., et al.

ON CONSIDERATION of the motion to dispense with printing the record in this case,

IT IS ORDERED by this Court that the said motion be, and it is hereby, granted.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this motion.

Thomas L. Oldfield,

Petitioner,

340 vs.

SS Arthur P. Fairfield, Her Engines, Boilers, Tackle, Apparel, Furniture, et al.

On petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Ninth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Irving Potash,

Petitioner,

366 vs.

Tom C. Clark, Attorney General of the United States, et al.

ON CONSIDERATION of the motion of the Solicitor General of the United States to substitute one of the respondents in this case,

IT IS ORDERED by this Court that J. Howard McGrath, present Attorney General, be substituted as a party respondent in place and stead of Tom C. Clark, and that the cause be so continued and maintained.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas and Mr. Justice Clark took no part in the consideration or decision of this motion.

[illegible],

Petitioner,

vs.

[illegible] Howard McGrath, Attorney General of the United States, and Watson B. [illegible], Commissioner of Immigration and Naturalization.

On petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the District of Columbia Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas and Mr. Justice Clark took no part in the consideration or decision of this application.

American Communications Association, C. I. O., et al.,

Appellants,

vs.

Douglas T. Dowds, Individually and as Regional Director, etc.; and

United Steelworkers of America, et al.,

Petitioners,

vs.

National Labor Relations Board.

ON CONSIDERATION of the motion of the United Electrical Radio and Machine Workers of America for leave to file a brief as amicus curiae in these cases,

IT IS ORDERED by this Court that the said motion be, and it is hereby, granted.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this motion.

Elmer W. Henderson,

Appellant,

25 vs.

The United States of America, et al.

ON CONSIDERATION of the motions of National Lawyers Guild, American Veterans Committee, Congress of Industrial Organizations, American Jewish Congress, and National Association for the Advancement of Colored People for leave to file briefs as amici curiae in this case,

IT IS ORDERED by this Court that the said motions be, and they are hereby, granted.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of these motions.

Heman Marion Sweatt,

Petitioner,

44 vs.

Theophilis Shickel Painter, et al.

ON CONSIDERATION of the motion of The Federal Council of the Churches of Christ in America for leave to file a brief as amicus curiae in this case,

IT IS ORDERED by this Court that the said motion be, and it is hereby, granted.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this motion.

Helen Parker, et al.,

Petitioners,

49 vs.

County of Los Angeles, et al.; and

[illegible],

Petitioner,

vs.

[illegible], et al.

ON CONSIDERATION of the motions of the Civil Rights Congress, Council on African Affairs, Inc., National Lawyers Guild, Congress of [illegible] Women, Progressive Party of America, and Los Angeles Area Council of American Veterans Committee for leave to file briefs as amici curiae in these cases,

IT IS ORDERED by this Court that the said motions be, and they are hereby, granted.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of these motions.

[illegible],

Petitioner,

vs.

The United States of America.

ON CONSIDERATION of the motion of the American Civil Liberties Union for leave to file a brief as amicus curiae in this case,

IT IS ORDERED by this Court that the said motion be, and it is hereby, granted.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this motion.

[illegible] Oil Company,

Petitioner,

107 vs.

Federal Trade Commission.

ON CONSIDERATION of the motion of the Retail Gasoline Dealers Association of [illegible], Inc. for leave to file a brief as amicus curiae in this case,

IT IS ORDERED by this Court that the said motion be, and it is hereby, granted.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this motion.

Alcoa Steamship Company, Inc.,

Petitioner,

271 vs.

The United States of America.

ON CONSIDERATION of the motions of Stockard Steamship Corporation and Waterman Steamship Corporation for leave to file briefs as amici curiae in this case,

IT IS ORDERED by this Court that the said motions be, and they are hereby, granted.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of these motions.

ORDER.

IT IS ORDERED that Paragraph 9 of Rule 27 of the Rules of this Court be, and it hereby is, amended to read as follows:

"9. (a) Brief of an amicus curiae in cases before the Court on the merits.- A brief of an amicus curiae may be filed only after leave of the Court or when accompanied by written consent of all parties to the case and presented promptly after announcement postponing or noting probable jurisdiction on appeal, granting certiorari, or granting motion in a case upon the original docket.

"(b) Brief of an amicus curiae prior to consideration of jurisdictional statement or a petition for writ of certiorari.- A brief of an amicus curiae filed with consent of the parties, or motion, independent of the brief, for leave to file when consent is refused may be filed only if submitted a reasonable time prior to the consideration of a jurisdictional statement or a petition for writ of certiorari. Such motions are not favored. Distribution to the Court under the applicable rules of a jurisdictional statement or a petition for writ of certiorari and its consideration thereof will not be delayed pending the receipt of such brief or the filing of such motion.

"(c) Motion for leave to file. - When consent to the filing of a brief of an amicus curiae is refused by a party to the case, a motion, indorsement of [illegible], for leave to file may timely be presented to the Court. It shall concisely state the nature of the applicant's interest, set forth [illegible] questions of law that have not been, or reasons for believing that they will not adequately be, presented by the parties, and their relevancy to the disposition of the case. A party served with such motion may seasonably file in this Court an objection concisely stating the reasons for withholding consent.

"(d) Consent not required.- Consent to the filing of a brief of amicus curiae need not be had when the brief is presented for the United States by the Solicitor General; for any agency of the United States authorized by law to appear in its own behalf, sponsored by its appropriate legal representative; for a State sponsored by its Attorney General; or for a political subdivision of a State sponsored by the authorized law officer thereof.

"(e) Signature of a member of the bar of this Court and proof of service required. All briefs and/or petitions filed under this Rule shall bear the signature of a member of the bar of this Court, and shall be accompanied by proof of service on all parties to the case."

Per Mr. Chief Justice Vinson.

[illegible], et al.,

Petitioners,

vs.

First Presbyterian Church of Sterling, Illinois.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Turner Glass Corporation,

Petitioner,

vs.

Hartford-Empire Company, et al.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Eric Mass,

Appellant,

vs.

The People of the State of New York.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Walter A. Lavender, Administrator of the Estate of Charles Lee Hunter, Deceased,

Petitioner,

vs.

Illinois Central Railroad Company.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Harry W. [illegible],

[illegible],

vs.

The United States of America.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

[illegible], Illinois,

Petitioner,

vs.

The United States of America, ex rel.
Ralph H. White.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Auburn Savings Bank, et al.,

Petitioners,

210 vs.

Portland Railroad Company, et al.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

[illegible],

Petitioner,

222 vs.

The United States of America, and

[illegible],

Petitioner,

[illegible] vs.

The United States of America.

A petition for rehearing having been filed in these cases,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

The Andrew Jergens Company,

Petitioner,

225 vs.

National Labor Relations Board.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Arthur W. Gibson,

Petitioner,

247 vs.

International Freighting Corporation.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Arthur Bingaman, Administrator, etc.,

Appellant,

250 vs.

Eric H. Rehn, et al., etc.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

... Potts and Adam Empie
...,

Petitioners,

vs.

... A. Nader, as Administrator, et al.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

...,

Petitioner,

vs.

...missioner of Internal Revenue.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

...,

Petitioner,

vs.

...he United States of America.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Ex parte Sol Newstead,

83, Misc. Petitioner.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Morgan A. Israel and Michael Patrick Marvich,

Petitioners,

112, Misc. vs.

People of the State of California.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Glenn H. Goodman,

Petitioner,

120, Misc. vs.

State of Iowa.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

[illegible], et al.,

Petitioners,

vs.

[illegible] Publishing Company, et al.

A second petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

[illegible],

Petitioner,

vs.

The United States of America.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Justice Black.

The Chief Justice, Mr. Justice Douglas, and Mr. Justice Clark took no part in the consideration or decision of this application.

[illegible],

Petitioner,

vs.

The United States of America; and

[illegible],

Petitioner,

vs.

The United States of America.

A petition for rehearing having been filed in these cases,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Justice Black.

The Chief Justice, Mr. Justice Douglas, and Mr. Justice Clark took no part in the consideration or decision of this application.

Charles Colton, et al., Petitioners, vs. The United States of America. 23, Misc. On petition for writ of certiorari to the United States Court of Appeals for the Second Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Second Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Leon Jones, Petitioner, vs. United States. 89, Misc. On petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Fifth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Elmer Bentley Pickins, Petitioner, vs. United States. 92, Misc. On petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Fifth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

. Allen,

Petitioner,

, Misc. vs.

The United States of America.

On petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Sixth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Anna Kwasizur, Admx., etc.,

Petitioner,

101, Misc. vs.

Frank A. Cardillo, Deputy Commr., etc.

On petition for writ of certiorari to the United States Court of Appeals for the Third Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Third Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Hubert H. Council,

Petitioner,

110, Misc. vs.

Donald Clemmer, Director.

On petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the District of Columbia Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Julia B. Minton, Petitioner, vs. Theodore Britton, Deputy Comm'r. — On petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit.

119, Misc.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the District of Columbia Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

[illegible] Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

James Kelly, Petitioner, vs. People of the State of Colorado. — On petition for writ of certiorari to the Supreme Court of the State of [illegible].

165, Misc.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of Colorado, It is ordered by this Court that the said petition be, and the same is [illegible].

[illegible] Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Robert G. Gibbs, Petitioner, vs. Stanley P. Ashe, Warden. — On petition for writ of certiorari to the Superior Court of the Commonwealth of [illegible].

169, Misc.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Superior Court of the Commonwealth of Pennsylvania, It is ordered by this Court that the said petition be, and the same is hereby, denied.

For Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

[illegible],

Petitioner,

[illegible], Misc. vs.

[illegible]. Ragen, Warden.

On petition for writ of certiorari to the Supreme Court of the State of Illinois.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of Illinois, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Robert L. Cavanaugh,

Petitioner,

177, Misc. vs.

Joseph E. Ragen, Warden.

On petition for writ of certiorari to the Circuit Court of Will County of the State of Illinois.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Circuit Court of Will County of the State of Illinois, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Paul Roeder,

Petitioner,

182, Misc. vs.

Joseph E. Ragen, Warden.

On petition for writ of certiorari to the Criminal Court of Cook County of the State of Illinois.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Criminal Court of Cook County of the State of Illinois, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Earl F. Hall,

Petitioner,

187, Misc. vs.

Browning Robinson, Warden.

On petition for writ of certiorari to the Circuit Court of Macon County of the State of Illinois.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Circuit Court of Macon County of the State of Illinois, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Michael F. Coggins, Jr.,

Petitioner,

189, Misc. vs.

The Commonwealth of Massachusetts.

On petition for writ of certiorari to the Supreme Judicial Court of the Commonwealth of Massachusetts.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Judicial Court of the Commonwealth of Massachusetts, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Sam Wedgle,

Petitioner,

88, Misc. vs.

The United States.

ON CONSIDERATION of the motion for leave to file a petition for writ of certiorari in this case,

IT IS ORDERED by this Court that the said motion be, and it is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

[illegible],

Petitioner,

[illegible]. vs.

[illegible] H. Hagen, Warden.

ON CONSIDERATION of the motion for leave to file a petition for writ of habeas corpus herein,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of said application.

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Mr. Justice Douglas took no part in the consideration or decision of the cases in which judgments or orders are this day announced.

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The Court will take a recess from Monday, November 21, until Monday, December 5, next.

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[illegible], Inc.,

Petitioner,

vs.

[illegible] of Internal Revenue.

Argument continued by Mr. James C. Wynn for the petitioner and concluded by Mr. Oscar H. Davis for the respondent.

The United States of America,

Appellant,

22 vs.

Yellow Cab Company, Chicago Yellow Cab Company, Inc., et al.

Argument commenced by Mr. Charles H. Weston for the appellant and continued by Mr. Jesse Climenko for the appellees.

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Proclamation being made the Court is adjourned until tomorrow at 12 o'clock.

TUESDAY, NOVEMBER 15, 1949.

Pursuant to adjournment the Court met at the Supreme Court Building.

PRESENT:

The Honorable Fred M. Vinson, Chief Justice,
Hugo L. Black,
Stanley Reed,
Felix Frankfurter,
Robert H. Jackson,
Harold H. Burton,
Tom C. Clark,
Sherman Minton.
Associate Justices.

Thomas Ennalls Waggaman, Esquire, Marshal,

Charles Elmore Cropley, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Leon Tobriner, It is ordered that Frederick G. Umhau, Esquire, of Washington, District of Columbia, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Neville Miller, It is ordered that Thomas J. Wood, Esquire, of Louisville, Commonwealth of Kentucky, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. William W. Burkhalter, It is ordered that Samuel P. Grandon, Esquire, of Detroit, State of Michigan, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Melville J. France, It is ordered that Henry P. Molloy, Jr., Esquire, of Brooklyn, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Irwin Geiger, It is ordered that Ricardo J. Hecht, Esquire, of San Francisco, State of California, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

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The United States of America,

Appellant,

22 vs.

Yellow Cab Company, Chicago Yellow Cab Company, Inc., et al.

Argument concluded by Mr. Jesse Climenko for the appellees.

George W. Solesbee,

Appellant,

77 vs.

R. P. Balkcom, Jr., Warden of the State Penitentiary, Tattnall, Georgia.

Argued by Mr. Benjamin E. Pierce for the appellant and case submitted by Mr. Eugene Cook for the appellee.

Travelers Health Association and R. E. Pratt, as Treasurer Thereof, and In His Personal Capacity,

Appellants,

76 vs.

Commonwealth of Virginia, at the Relation of State Corporation Commission.

Argued by Mr. Moses G. Hubbard, Jr., for the appellants and by Mr. Walter E. Rogers for the appellee.

Wilmette Park District,

Petitioner,

75 vs.

Nigel D. Campbell, Collector of Internal Revenue.

Argument commenced by Mr. Henry J. Brandt for the petitioner.

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Proclamation being made the Court is adjourned until tomorrow at 12 o'clock.

WEDNESDAY, NOVEMBER 16, 1949.

Pursuant to adjournment the Court met at the Supreme Court Building.

PRESENT:

The Honorable Fred M. Vinson, Chief Justice,
Hugo L. Black,
Stanley Reed,
Felix Frankfurter,
Robert H. Jackson,
Harold H. Burton,
Tom C. Clark,
Sherman Minton. Associate Justices.

Thomas Ennalls Waggaman, Esquire, Marshal,

Charles Elmore Cropley, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Wilbur R. Lester, It is ordered that Eugene H. Nickerson, Esquire, of New York, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. James C. Newton, It is ordered that Robert A. Brooks, Esquire, of Washington, District of Columbia, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. P. Bateman Ennis, It is ordered that George G. Shiya, Esquire, of New York, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

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Wilmette Park District,

Petitioner,

75 vs.

Nigel D. Campbell, Collector of Internal Revenue.

Argument continued by Mr. Lee A. Jackson for the respondent and concluded by Mr. Henry J. Brandt for the petitioner.

Alcoa Steamship Company, Inc.,

Petitioner,

271 vs.

The United States of America.

Argued by Mr. Melville J. France for the petitioner and by Mr. Samuel D. Slade for the respondent.

The United States of America, ex rel.
Otto A. Willumeit,

Petitioner,

82 vs.

Edward J. Shaughnessy, Acting District Director, Immigration and Naturalization Service.

Argued by Mr. Eugene H. Nickerson for the petitioner and by Mr. Harold D. Cohen for the respondent.

The United States of America, ex rel.
Richard Eichenlaub,

Petitioner,

3 vs.

Edward J. Shaughnessy, Acting District Director of Immigration and Naturalization of the United States for the District of New York, etc.

Argument commenced by Mr. George G. Shiya for the petitioner.

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Proclamation being made the Court is adjourned until tomorrow at 12 o'clock.

THURSDAY, NOVEMBER 17, 1949.

Pursuant to adjournment the Court met at the Supreme Court Building.

PRESENT:

The Honorable Fred M. Vinson, Chief Justice,
Hugo L. Black,
Stanley Reed,
Felix Frankfurter,
Robert H. Jackson,
Harold H. Burton,
Tom C. Clark,
Sherman Minton,
Associate Justices.

Thomas Ennalls Waggaman, Esquire, Marshal,

Charles Elmore Cropley, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Lon Hocker, It is ordered that Fred E. Hewitt, Esquire, of Cleveland, State of Ohio, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. George G. Tyler, It is ordered that William J. Nolan, Jr., Esquire, of New York, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Lewis F. Shull, It is ordered that Allan R. Browne, Esquire, of Kansas City, State of Missouri, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. John J. Wilson, It is ordered that Roger J. Whiteford, Esquire, of Washington, District of Columbia, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Charles J. Zinn, It is ordered that John J. Cooke, Esquire, of Brooklyn, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

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The United States of America, ex rel.
Richard Eichenlaub,

Petitioner,

3 vs.

Edward J. Shaughnessy, Acting District
Director of Immigration and Naturalization
of the United States for the District of
New York, etc.

Argument continued by Mr. George G. Shiya for the petitioner; by Mr. Harold D. Cohen for the respondent, and concluded by Mr. George G. Shiya for the petitioner.

Colgate-Palmolive-Peet Company,

Petitioner,

47 vs.

The National Labor Relations Board,
et al.

Argued by Mr. Ricardo J. Hecht for the petitioner and by Miss Ruth Weyand for the respondents.

John E. Manning, as Collector of Internal
Revenue for the Fifth District of New York,

Petitioner,

70 vs.

Seeley Tube and Box Company, a Corporation
of the State of New Jersey.

Argument commenced by Mr. Solicitor General Perlman for the petitioner.

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Proclamation being made the Court is adjourned until tomorrow at 12 o'clock.

FRIDAY, NOVEMBER 18, 1949.

Pursuant to adjournment the Court met at the Supreme Court Building.

PRESENT:

The Honorable Fred M. Vinson, Chief Justice,
Hugo L. Black,
Stanley Reed,
Felix Frankfurter,
Robert H. Jackson,
Harold H. Burton,
Tom C. Clark,
Sherman Minton. Associate Justices.

Thomas Ennalls Waggaman, Esquire, Marshal,

Charles Elmore Cropley, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Samuel O. Clark, Jr., It is ordered that Edgar M. Church, Jr., Esquire, of New York, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Hugh T. Fullerton, It is ordered that Homer Glenn Angelo, Esquire, of San Francisco, State of California, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. David N. Lewis, It is ordered that Charles Lewis, Esquire, of New York, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Milton I. Baldinger, It is ordered that Howard Newcomb Morse, Esquire, of Augusta, State of Georgia, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Elliott H. Moyer, It is ordered that Mandell Bernstein, Esquire, of Detroit, State of Michigan, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

Jeremiah McCarthy,

Petitioner,

452 vs.

American Eastern Corporation.

ON CONSIDERATION of the motion of counsel for the respondent to extend the time within which to file brief in opposition to a petition for writ of certiorari in this case,

IT IS ORDERED by this Court that the time be, and it is hereby, extended to and including December 15, 1949.

Per Mr. Chief Justice Vinson.

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John E. Manning, as Collector of Internal Revenue for the Fifth District of New York,

Petitioner,

70 vs.

Seeley Tube and Box Company, a Corporation of the State of New Jersey.

Argument continued by Mr. George G. Taylor and Mr. Walter J. Bilder for the respondent and concluded by Mr. Solicitor General Perlman for the petitioner.

Floyd G. Affolder,

Petitioner,

200 vs.

New York, Chicago and St. Louis Railroad Company.

Argued by Mr. William H. Allen for the petitioner and by Mr. Lon Hocker for the respondent.

Commissioner of Internal Revenue,

Petitioner,

126 vs.

Philadelphia Transportation Company.

Argued by Mr. Arnold Raum for the petitioner and by Mr. William R. Spofford for the respondent.

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Proclamation being made the Court is adjourned until Monday, November 21, next, at 12 o'clock.

Pursuant to adjournment the Court met at the Supreme Court Building.

PRESENT:

The Honorable Fred M. Vinson, Chief Justice,
Hugo L. Black,
Felix Frankfurter,
Robert H. Jackson,
Harold H. Burton,
Tom C. Clark,
Sherman Minton. Associate Justices.

Thomas Ennalls Waggaman, Esquire, Marshal,

Charles Elmore Cropley, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Solicitor General Philip B. Perlman, It is ordered that Aida Martinez, of San Juan, Puerto Rico, be admitted to practice as an Attorney and Counsellor of this Court, and she was sworn accordingly. (Miss)

On motion first made to the Court in this behalf by Mr. Henry P. Chandler, It is ordered that Bertram Robert Beers, Esquire, of Chicago, State of Illinois, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Cecil B. Hamilton, It is ordered that Joseph L. Sharon, Esquire, of Summit, State of New Jersey, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Harry Kay, It is ordered that Edward Terner, Esquire, of West Orange, State of New Jersey, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Franklin P. Shaw, It is ordered that J. Reginald C. Miller, Esquire, of Omaha, State of Nebraska, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. David W. Louisell, It is ordered that James N. Ravlin, Esquire, of New York, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Alvin L. Newmyer, It is ordered that Alvin L. Newmyer, Jr., Esquire, of Washington, District of Columbia, and Samuel M. Blinken, Esquire, of New York, State of New York, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. James S. Y. Ivins, It is ordered that Jack R. Miller, Esquire, of Sioux City, State of Iowa, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Aaron Harry Crowell, It is ordered that Conrad T. Bjornlie, Esquire, of Great Falls, State of Montana, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

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Manufacturers Trust Company, as Trustee Under an Indenture Made by the Debtor Under Date of September 27, 1933, and Individually,

Petitioner,

55 vs.

Regine Becker, Emily K. Becker and Walter A. Fribourg.

On writ of certiorari to the United States Court of Appeals for the Second Circuit.

THIS CAUSE came on to be heard on the transcript of the record from the United States Court of Appeals for the Second Circuit, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is ordered and adjudged by this Court that the judgment of the said United States Court of Appeals, in this cause, be, and the same is hereby, affirmed with costs; and that this cause be, and the same is hereby, remanded to the United States District Court for the Southern District of New York.

Per Mr. Justice Clark.

Dissenting opinion by Mr. Justice Burton in which Mr. Justice Black joins.

Mr. Justice Douglas took no part in the consideration or decision of this case.

Richard J. Brown, Petitioner, vs. Western Railway of Alabama.

On writ of certiorari to the Court of Appeals of the State of Georgia.

43

THIS CAUSE came on to be heard on the transcript of the record from the Court of Appeals of the State of Georgia, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is ordered and adjudged by this Court that the judgment of the said Court of Appeals, in this cause, be, and the same is hereby, reversed with costs; and that this cause, be, and the same is hereby, remanded to the said Court of Appeals for further proceedings not inconsistent with the opinion of this Court.

Per Mr. Justice Black.

Dissenting opinion by Mr. Justice Frankfurter in which Mr. Justice Jackson joins.

Mr. Justice Douglas took no part in the consideration or decision of this case.

Lawrence C. Kingsland, Commissioner of Patents,

Petitioner,

53 vs.

Vernon M. Dorsey.

On writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit.

THIS CAUSE came on to be heard on the transcript of the record from the United States Court of Appeals for the District of Columbia Circuit, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is ordered and adjudged by this Court that the judgment of the said United States Court of Appeals, in this cause, be, and the same is hereby, reversed; and that the judgment of the District Court in this cause be, and the same is hereby, affirmed.

IT IS FURTHER ORDERED that this cause, be, and the same is hereby, remanded to the United States District Court for the District of Columbia.

Per Mr. Chief Justice Vinson.

Dissenting opinion by Mr. Justice Jackson in which Mr. Justice Frankfurter joins.

Mr. Justice Douglas took no part in the consideration or decision of this case.

The Chief Justice announced the following orders of the Court:

Gerhart Eisler,

Petitioner,

255 O. T. '48 vs.

The United States of America.

On writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit.

IT APPEARING to the Court that the Solicitor General of the United States has submitted a motion to dismiss the writ of certiorari in this case,

ON CONSIDERATION THEREOF, It is ordered by this Court that the said motion be, and it is hereby, granted; and that the writ of certiorari in this cause be, and it is hereby, dismissed.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas and Mr. Justice Clark took no part in the consideration or decision of this case.

Commissioner of Internal Revenue, Petitioner, vs. Philadelphia Transportation Company. On writ of certiorari to the United States Court of Appeals for the Third Circuit.

126

THIS CAUSE came on to be heard on the transcript of the record from the United States Court of Appeals for the Third Circuit, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is ordered and adjudged by this Court that the judgment of the said United States Court of Appeals, in this cause, be, and the same is hereby, affirmed; and that this cause be, and the same is hereby, remanded to the said Court of Appeals.

Per Mr. Chief Justice Vinson.

Dissenting: Mr. Justice Burton.

Mr. Justice Douglas took no part in the consideration or decision of this case.

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The Chief Justice said:

"The other orders of the Court appear upon the list certified by the Chief Justice and filed with the Clerk and will not be announced orally."

In the Matter of Abraham Albert Minton.

No. ____.

ON CONSIDERATION of the motion to amend the attorney roll to show a change in the name of Abraham Mitnovetz to Abraham Albert Minton,

IT IS ORDERED by this Court that the said motion be, and it is hereby, granted.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

In the Matter of Frank Ronald Picone.

No. ____.

ON CONSIDERATION of the motion to amend the attorney roll to show a change in the name of Falco R. Picone to Frank Ronald Picone,

IT IS ORDERED by this Court that the said motion be, and it is hereby, granted.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

The United States of America,

Plaintiff,

11, Original vs.

The State of California.

ORDER

Each of the parties is directed to advance to William H. Davis, the Special Master in this case, the sum of $3,134.82, being one half the sum of $1,269.64, his approved expenses, plus one-half of $5,000, allowed him on account of services.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas, Mr. Justice Jackson, and Mr. Justice Clark took no part in the consideration or decision of this order.

The United States of America, ex rel.
Richard Eichenlaub,

Petitioner,

3 vs.

Edward J. Shaughnessy, Acting District
Director of Immigration and Naturalization,
etc.

ON CONSIDERATION of the motion to withdraw the appearance of Charles Edwin Wallington as counsel for the petitioner in this case,

IT IS ORDERED by this Court that the said motion be, and it is hereby, granted.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

The United States of America, et al.,

Appellants,

40 vs.

The Capital Transit Company, et al.

ON CONSIDERATION of the motion of the Solicitor General of the United States that the mandate of this Court in this case issue forthwith,

IT IS ORDERED by this Court that the said motion be, and it is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this motion.

Estate of Gilliat G. Schroeder, Deceased, Louisa R. Schroeder and Helen S. Croll, Executors,

Petitioners,

103 vs.

Commissioner of Internal Revenue.

ON CONSIDERATION of the motion of the petitioners for a clarification of the order of October 10, the order is amended to read as follows: "Per curiam: The petition for writ of certiorari is granted. The judgment of the Court of Appeals is vacated and the case is remanded to that court for further consideration in the light of T. D. 5741, 14 Fed. Reg. 5536; the Technical Changes Act of October 25, 1949; and, Commissioner vs. Estate of Church, 335 U. S. 632, and Estate of Spiegel vs. Commissioner, 335 U. S. 701."

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

The United States of America,

Appellant,

428 vs.

National Association of Real Estate Boards, et al.

The statement of jurisdiction in this case having been submitted and considered by the Court, probable jurisdiction is noted.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas and Mr. Justice Clark took no part in the consideration or decision of this question.

The United States of America, Petitioner,

293 vs.

Albert J. Rabinowitz.

Order allowing certiorari.

The petition herein for a writ of certiorari to the United States Court of Appeals for the Second Circuit is granted.

And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Capital Airlines, Inc., Petitioner,

229 vs.

Richard I. Edwards and James A. Young.

On petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the District of Columbia Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Richard I. Edwards and James A. Young, Petitioners,

371 vs.

Capital Airlines, Inc.

On petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the District of Columbia Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Thomas Wilson, Millie A. Sowell and W. C. Caneer,

Petitioners,

361 vs.

State ex rel. W. D. McGee, Treasurer and Ex-Officio Collector of Dunklin County, Missouri, et al.

On petition for writ of certiorari to the Supreme Court of the State of Missouri.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of Missouri, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Claude Porter,

Petitioner,

367 vs.

Dick Jones.

On petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Tenth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

The United States of America,

Petitioner,

372 vs.

The City of New York.

On petition for writ of certiorari to the United States Court of Appeals for the Second Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Second Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Dorothy Casey, as Administratrix of the Estate of James J. Casey, Deceased,

Petitioner,

387 vs.

American Export Lines, Inc.

On petition for writ of certiorari to the United States Court of Appeals for the Second Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Second Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Cauldwell-Wingate Company, Inc., Poirier and McLane Corporation, et al.,

Petitioners,

411 vs.

Mary E. Person, as Administratrix of the Goods, Chattels and Credits of William S. Person, Deceased.

On petition for writ of certiorari to the United States Court of Appeals for the Second Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Second Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Ben Sugerman,

Petitioner,

354 vs.

People of the State of California.

ON CONSIDERATION of the motion to dispense with printing the record in this case,

IT IS ORDERED by this Court that the said motion be, and it is hereby, granted.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Ben Sugerman,

Petitioner,

354 vs.

People of the State of California.

On petition for writ of certiorari to the District Court of Appeal, 3rd Appellate District, State of California.

ON CONSIDERATION of the petition for a writ of certiorari herein to the District Court of Appeal, 3rd Appellate District, State of California, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Ben Sugerman,

Petitioner,

355 vs.

People of the State of California.

ON CONSIDERATION of the motion to dispense with printing the record in this case,

IT IS ORDERED by this Court that the said motion be, and it is hereby, granted.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Ben Sugerman,

Petitioner,

355 vs.

People of the State of California.

On petition for writ of certiorari to the Supreme Court of the State of California.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of California, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Albert J. Rabinowitz,

Petitioner,

362 vs.

The United States of America.

On petition for writ of certiorari to the United States Court of Appeals for the Second Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Second Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied for the reason that application therefor was not made within the time provided by law. Rule 37(b)(2) of the Rules of Criminal Procedure.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Securities and Exchange Commission,
Edmond M. Hanrahan, et al.,

Petitioners,

244 vs.

Otis and Co.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Louis Bernard Lapides,

Petitioner,

284 vs.

J. Howard McGrath, Attorney General,
et al.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

William W. Price,

Appellant,

319 vs.

State of Mississippi.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Ray H. Simmons,

Petitioner,

57, Misc. vs.

Commonwealth of Pennsylvania.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Everett Rheim,

Petitioner,

155, Misc. vs.

John P. Foster, Warden.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this case.

Herman Barmore,

Petitioner,

156, Misc. vs.

John F. Foster, Warden.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Estella Latta, Jones M. Griffin and Alvin Chambers,

Petitioners,

788 O.T. '48 vs.

Western Investment Company, et al.

ON CONSIDERATION of the motion for leave to file a petition for rehearing in this case,

IT IS ORDERED by this Court that the said motion be, and it is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

William Lester Keith, On petition for writ of certiorari to

Petitioner, the Supreme Court of the State of

105, Misc. vs. Wyoming.

W. C. Miller, Warden.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of Wyoming, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

James Caldwell,

Petitioner,

181, Misc. vs.

Joseph E. Ragen, Warden.

On petition for writ of certiorari to the Criminal Court of Cook County of the State of Illinois.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Criminal Court of Cook County of the State of Illinois, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Joseph W. Paugh,

Petitioner,

184, Misc. vs.

Julian N. Frisbie, Warden.

On petition for writ of certiorari to the Supreme Court of the State of Michigan.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of Michigan, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Scott W. Lantz,

Petitioner,

198, Misc. vs.

W. C. Miller, Warden.

On petition for writ of certiorari to the District Court of Carbon County, State of Wyoming.

ON CONSIDERATION of the petition for a writ of certiorari herein to the District Court of Carbon County, State of Wyoming, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Lionel J. Donovan,

Petitioner,

199, Misc. vs.

State of New Hampshire.

On petition for writ of certiorari to the Supreme Court of the State of New Hampshire.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of New Hampshire, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

John Edwin Byers,

Petitioner,

200, Misc. vs.

Cities Service Gas Company.

On petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Tenth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Everett C. Lyle,

Petitioner,

203, Misc. vs.

Ralph N. Eidson, Warden.

On petition for writ of certiorari to the Supreme Court of the State of Missouri.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of Missouri, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Dexter C. Dayton,

Petitioner,

205, Misc. vs.

Walter A. Hunter, Warden.

On petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Tenth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Berlin Spence,

Petitioner,

206, Misc. vs.

State of Indiana, et al.

On petition for writ of certiorari to the Criminal Court of Cook County of the State of Illinois.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Criminal Court of Cook County of the State of Illinois, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Francis Monaghan,

Petitioner,

208, Misc. vs.

C. J. Burke, Warden.

On petition for writ of certiorari to the Supreme Court of the Commonwealth of Pennsylvania.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the Commonwealth of Pennsylvania, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

E. R. Jackson,

Petitioner,

211, Misc. vs.

C. P. Burford, Warden.

On petition for writ of certiorari to the Criminal Court of Appeals of the State of Oklahoma.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Criminal Court of Appeals of the State of Oklahoma, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Cleio Hull,

Petitioner,

201, Misc. vs.

Julian N. Frisbie, Warden.

ON CONSIDERATION of the motion for leave to file a petition for writ of habeas corpus herein,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Edward Morgan MacKenna,

Petitioner,

212, Misc. vs.

William E. Snyder, Warden.

ON CONSIDERATION of the motion for leave to file a petition for writ of habeas corpus herein,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Wellington Lancour,

Petitioner,

213, Misc. vs.

State of Michigan.

ON CONSIDERATION of the motion for leave to file a petition for writ of habeas corpus herein,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Norman T. Heicht,

Petitioner,

214, Misc. vs.

State of Maryland.

ON CONSIDERATION of the motion for leave to file a petition for writ of habeas corpus herein,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Wallace James Cruse,

Petitioner,

215, Misc. vs.

Joseph E. Ragen, Warden.

ON CONSIDERATION of the motion for leave to file a petition for writ of habeas corpus herein,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

In the Matter of Ernst Buerger,

Petitioner.

188, Misc.

ON CONSIDERATION of the application submitted herein by Ernst Buerger,

IT IS ORDERED by this Court that the said application be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas and Mr. Justice Jackson took no part in the consideration or decision of this application.

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Proclamation being made the Court is adjourned until Monday, December 5, next, at 12 o'clock.

Pursuant to adjournment the Court met at the Supreme Court Building.

PRESENT:

The Honorable Fred M. Vinson, Chief Justice,
Hugo L. Black,
Stanley Reed,
Felix Frankfurter,
Robert H. Jackson,
Harold H. Burton,
Tom C. Clark,
Sherman Minton.
Associate Justices.

Thomas Ennalls Waggaman, Esquire, Marshal,

Charles Elmore Cropley, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. A. Devitt Vanech, It is ordered that Emmet A. Blaes, Esquire, of Wichita, State of Kansas, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. William Lawrence McGovern, It is ordered that Marmaduke Hardeman Blackshear, Esquire, of Atlanta, State of Georgia, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Kenart M. Rahn, It is ordered that Mayer Goldberg, Esquire, of Chicago, State of Illinois, and George S. Stansell, Esquire, of Chicago, State of Illinois, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Harold D. Cohen, It is ordered that Joseph Avis, Esquire, of Kingston, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Hall Hammond, It is ordered that Harrison L. Winter, Esquire, of Baltimore, State of Maryland, and Ward B. Coe, Jr., Esquire, of Baltimore, State of Maryland, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Richard R. Atkinson, It is ordered that W. Harold Flowers, Esquire, of Pine Bluff, State of Arkansas, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Guilford Stanley Jameson, It is ordered that Samuel Y. Rossiter, Esquire, of Erie, Commonwealth of Pennsylvania, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Leslie A. Cleary, It is ordered that William Zoff, Esquire, of Modesto, State of California, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Wm. J. Walsh, Jr., It is ordered that John T. Wiley, Jr., Esquire, of Saint Louis, State of Missouri, and Harry H. Craig, Esquire, of Saint Louis, State of Missouri, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. James K. Knudson, It is ordered that Carlos J. Badger, Esquire, of Modesto, State of California, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. George Morris Fay, It is ordered that Thomas A. Farrell, Esquire, of Washington, District of Columbia, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Oscar Shienbrood, It is ordered that Eugene Gerald Lamboley, Esquire, of Washington, District of Columbia, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Roger P. Marquis, It is ordered that Harold Jordan, Esquire, of Saint Paul, State of Minnesota, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Allen Crenshaw, It is ordered that David Wuntch, Esquire, of Austin, State of Texas, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Roy St. Lewis, It is ordered that Volley J. Bodovitz, Esquire, of Oklahoma City, State of Oklahoma, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Stafford R. Grady, It is ordered that Howard Merrill Packard, Esquire, of Racine, State of Wisconsin, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Dayton M. Harrington, It is ordered that Frank A. Bartimo, Esquire, of Washington, District of Columbia, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Walter G. Moyle, It is ordered that Clarence M. Beck, Esquire, of Salt Lake City, State of Utah, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

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Colgate-Palmolive-Peet Company, Petitioner,
47 vs.
The National Labor Relations Board, et al.

On writ of certiorari to the United States Court of Appeals for the Ninth Circuit.

THIS CAUSE came on to be heard on the transcript of the record from the United States Court of Appeals for the Ninth Circuit, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is now here ordered and adjudged by this Court that the judgment of the said United States Court of Appeals, in this cause, be, and the same is hereby, reversed; and that this cause be, and the same is hereby, remanded to the said Court of Appeals with directions to remand to the National Labor Relations Board with directions to dismiss the complaint.

Per Mr. Justice Minton.

Dissenting: Mr. Justice Reed and Mr. Justice Burton.

Mr. Justice Douglas took no part in the consideration or decision of this case.

The United States of America, Appellant,
22 vs.
Yellow Cab Company, Chocago Yellow Cab Company, Inc., Parmelee Transportation Company, et al.

Appeal from the United States District Court for the Northern District of Illinois.

THIS CAUSE came on to be heard on the transcript of the record from the United States District Court for the Northern District of Illinois, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is now here ordered, adjudged, and decreed by this Court that the judgment of the said District Court, in this cause, be, and the same is hereby, affirmed.

Per Mr. Justice Jackson.

Dissenting opinion by Mr. Justice Black in which Mr. Justice Reed concurs.

Mr. Justice Douglas and Mr. Justice Clark took no part in the consideration or decision of this case.

Roy Cole and Louis Jones,
Petitioners,
62 vs.
State of Arkansas.

On writ of certiorari to the Supreme Court of the State of Arkansas.

THIS CAUSE came on to be heard on the transcript of the record from the Supreme Court of the State of Arkansas, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is ordered and adjudged by this Court that the judgment of the said Supreme Court, in this cause, be, and the same is hereby, affirmed with costs.

Per Mr. Justice Jackson.

Mr. Justice Douglas took no part in the consideration or decision of this case.

Helen Parker, Ione Lane Wheeler, Katherine Gates, et al.,
Petitioners,
49 vs.
County of Los Angeles, et al.

On writ of certiorari to the District Court of Appeal of the State of California, Second Appellate District.

THIS CAUSE came on to be heard on the transcript of the record from the District Court of Appeal of the State of California, Second Appellate District, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is ordered by this Court that the writ of certiorari, in this cause, be, and the same is hereby, dismissed with costs.

Per Mr. Justice Frankfurter.

Mr. Justice Douglas took no part in the consideration or decision of this case.

Julia Learned Steiner,
Petitioner,
50 vs.
County of Los Angeles, et al.

On writ of certiorari to the District Court of Appeal of the State of California, Second Appellate District.

THIS CAUSE came on to be heard on the transcript of the record from the District Court of Appeal of the State of California, Second Appellate District, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is ordered by this Court that the writ

of certiorari, in this cause, be, and the same is hereby, dismissed with costs.

Per Mr. Justice Frankfurter.

Mr. Justice Douglas took no part in the consideration or decision of this case.

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The Chief Justice said:

"The orders of the Court appear upon the list certified by the Chief Justice and filed with the Clerk and will not be announced orally."

The United States of America,

Plaintiff,

12, Original vs.

The State of Louisiana; and

The United States of America,

Plaintiff,

13, Original vs.

The State of Texas.

These cases are set for hearing on the Motions for Judgment and are assigned for argument on Monday, February 6, next.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas, Mr. Justice Jackson, and Mr. Justice Clark took no part in the consideration or decision of this question.

The United States of America,

Petitioner,

98 vs.

Ernestina G. Fleischman; and

The United States of America,

Petitioner,

99 vs.

Helen R. Bryan.

ON CONSIDERATION of the application of counsel for respondents for adjournment of oral argument in these cases,

IT IS ORDERED by this Court that the said application be, and it is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas and Mr. Justice Clark took no part in the consideration or decision of this application.

The United States of America,

Petitioner,

217 vs.

Alexander Lawrence Alpers.

ON CONSIDERATION of the motion of respondent for leave to proceed herein in forma pauperis,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, granted.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this motion.

Joseph Dorsey, Monroe Dowling, and Calvin Harper,

Petitioners,

402 vs.

Stuyvesant Town Corporation, et al.

ON CONSIDERATION of the motions for leave to file briefs of American Veterans Committee, Inc.; Board of Home Missions of the Congregational and Christian Churches, et al.; Community Service Organization of Greater Los Angeles; and New York Chapter of National Lawyers Guild as amici curiae in these cases,

IT IS ORDERED by this Court that the said motions be, and they are hereby, denied. Rule 27, par. 9, as amended November 14, 1949.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of these motions.

Georgia Railroad and Banking Company,

Appellant,

454 vs.

Charles D. Redwine, State Revenue Commissioner.

The statement of jurisdiction in this case having been submitted and considered by the Court, probable jurisdiction is noted and the case is transferred to the summary docket.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this question.

William H. Hiatt, Warden, United States Penitentiary, Atlanta, Georgia,

Petitioner,

359 vs.

Eugene Preston Brown.

Order allowing certiorari.

The petition herein for a writ of certiorari to the United States Court of Appeals for the Fifth Circuit is granted. The case is transferred to the summary docket.

And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Commissioner of Internal Revenue, Order allowing certiorari.

Petitioner,

384 vs.

Christian W. Korell.

The petition herein for a writ of certiorari to the United States Court of Appeals for the Second Circuit is granted. The case is transferred to the summary docket.

And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Rudolf Reider, Order allowing certiorari.

Petitioner,

403 vs.

Guy A. Thompson, Trustee, Missouri Pacific Railroad Company, Debtor.

The petition herein for a writ of certiorari to the United States Court of Appeals for the Fifth Circuit is granted.

And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Martin Ludwig Cohnstaedt, Order allowing certiorari.

Petitioner,

373 vs.

Immigration and Naturalization Service of the United States Department of Justice.

The petition herein for a writ of certiorari to the Supreme Court of the State of Kansas is granted.

And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas and Mr. Justice Clark took no part in the consideration or decision of this application.

Marion J. Slocum, as General Chairman, Lackawanna Division No. 30 of the Order of Railroad Telegraphers,

Petitioner,

391 vs.

The Delaware, Lackawanna and Western Railroad Company.

Order allowing certiorari.

The petition herein for a writ of certiorari to the Court of Appeals of the State of New York is granted.

And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Edgar B. Whitcomb, Anna S. Whitcomb and Henry J. Helmers, Jr.,

Petitioners,

335 vs.

Earl L. Clark, Drain Commissioner of Oakland County, State Land Office Board, et al.

On petition for writ of certiorari to the Supreme Court of the State of Michigan.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of Michigan, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

The United States of America,
Petitioner,
350 vs.
John Donald Walker.

On petition for writ of certiorari to the United States Court of Appeals for the Second Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Second Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Gilson Brothers, a Corporation,
Petitioner,
383 vs.
Wisconsin Employment Relations Board.

On petition for writ of certiorari to the Supreme Court of the State of Wisconsin.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of Wisconsin, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

District of Columbia,
Petitioner,
385 vs.
Hamilton National Bank of Washington.

On petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the District of Columbia Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

District of Columbia,

Petitioner,

401 vs.

Bank of Commerce and Savings, the Security Savings and Commercial Bank, et al.

On petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the District of Columbia Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Wade Kitchens,

Petitioner,

390 vs.

Mrs. Mary Bird, et al.

On petition for writ of certiorari to the Supreme Court of the State of Arkansas.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of Arkansas, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Endicott Johnson Corporation,

Petitioner,

404 vs.

Lionel Lane, as President of Endicott Leather Workers' Union, Local 285, etc.

On petition for writ of certiorari to the Supreme Court of the State of New York, Broome County.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of New York, Broome County, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Emil Placek and Bank of Prague, Nebraska, a Corporation,

Petitioner,

405 vs.

M. D. Edstrom, as County Attorney of Saunders County, Nebraska.

On petition for writ of certiorari to the Supreme Court of the State of Nebraska.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of Nebraska, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

The Midland Steel Products Company,

Petitioner,

409 vs.

Clark Equipment Company.

On petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Sixth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Linwood L. Bradshaw, Owner and Master of the Motor Vessel "Nettie B. Greenwell," etc.,

Petitioner,

414 vs.

Steamer "Virginia," Its Engines, Boilers, Tackle, etc., et al.

On petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Fourth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Frank N. Steigleder,

Petitioner,

420 vs.

Eberhard Faber Pencil Company, et al.

On petition for writ of certiorari to the United States Court of Appeals for the First Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the First Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Louis H. Rosenblum,

Petitioner,

368 vs.

The United States of America.

On petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Seventh Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas and Mr. Justice Minton took no part in the consideration or decision of this application.

Max Stryk,

Petitioner,

369 vs.

The United States of America.

On petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Seventh Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas and Mr. Justice Minton took no part in the consideration or decision of this application.

Jacob Weiss,

Petitioner,

370 vs.

The United States of America.

On petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Seventh Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas and Mr. Justice Minton took no part in the consideration or decision of this application.

Irvine F. Belser,

Petitioner,

382 vs.

Commissioner of Internal Revenue.

On petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Fourth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Black and Mr. Justice Douglas took no part in the consideration or decision of this application.

Charles L. Harney Construction Company
(Formerly Palm Springs Holding Corporation),

Petitioner,

392 vs.

Major General Philip B. Fleming, Individually and as Administrator, Federal Works Agency, et al.

ON CONSIDERATION of the motion of the Solicitor General of the United States for a substitution of the parties respondent in this case,

IT IS ORDERED by this Court that Jess Larson, Administrator of General Services, be substituted as the party respondent in place of Major General Philip B. Fleming, Individually and as Administrator of the Federal Works Agency, and others; and that the cause be so continued and maintained.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this motion.

Charles L. Harney Construction Company, (Formerly Palm Springs Holding Corporation),

Petitioner,

392 vs.

Jess Larson, Administrator of General Services.

On petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the District of Columbia Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Fifth and Walnut, Incorporated and Albert J. Hoffman,

Petitioners,

400 vs.

Loew's Incorporated, Marcus Loew Booking Agency, Inc., RKO Radio Pictures, Inc., et al.

On petition for writ of certiorari to the United States Court of Appeals for the Second Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Second Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas and Mr. Justice Clark took no part in the consideration or decision of this application.

Cesare Pietro Buzzi,

Petitioner,

415 vs.

Jane Grasselli Buzzi.

ON CONSIDERATION of the motion to dispense with printing the record in this case,

IT IS ORDERED by this Court that the said motion be, and it is hereby, granted.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this motion.

Cesare Pietro Buzzi,

Petitioner,

415 vs.

Jane Grasselli Buzzi.

On petition for writ of certiorari to the Supreme Court of the State of California.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of California, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Eleptheoris Kofouros, et al.,

Petitioners,

365 vs.

Theodor Giannoutsos, as Master, et al.

ON CONSIDERATION of the motion to dispense with printing the petition and record in this case,

IT IS ORDERED by this Court that the said motion be, and it is hereby, granted.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this motion.

Eleptheoris Kofouros, et al.,

Petitioners,

365 vs.

Theodor Giannoutsos, as Master, et al.,

On petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Fourth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Nicholas Korthinos, et al.,

Petitioners,

388 vs.

S. S. Niarchos, as Owner, Michael Piliaros, his Agent, etc.

ON CONSIDERATION of the motion to dispense with printing the petition and record in this case,

IT IS ORDERED by this Court that the said motion be, and it is hereby, granted.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this motion.

Nicholas Korthinos, et al., Petitioners,

388 vs.

S. S. Niarchos, as Owner, Michael Piliaros, His Agent, etc.

On petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Fourth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

S. S. Niarchos, as Owner, Michael Piliaros, His Agent, etc., et al., Petitioners,

407 vs.

Nicholas Korthinos, et al.

On petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Fourth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Petros Maleuris, et al.,

Petitioners,

389 vs.

Anthony G. Papadakis, as Owner, Michael Piliaros, His Agent, etc.

ON CONSIDERATION of the motion to dispense with printing the petition and record in this case,

IT IS ORDERED by this Court that the said motion be, and it is hereby, granted.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this motion.

Petros Maleuris, et al., Petitioners, 389 vs. Anthony G. Papadakis, as Owner, Michael Piliaros, His Agent, etc.

On petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Fourth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Anthony G. Papadakis, as Owner, Michael Piliaros, His Agent, et al., etc., Petitioners, 408 vs. Petros Maleuris, et al.

On petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Fourth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Todd C. Faulkner,

Petitioner,

19 vs.

John T. Gibbs.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Mario Mercado E Hijos,

Petitioner,

139 vs.

Charles F. Brannan, Secretary of Agriculture.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Park-In Theatres, Inc.,

Petitioner,

170 vs.

Loew's Drive-In Theatres, Inc.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Joseph F. Bent and William Amos Jones,

Petitioners,

263 vs.

The United States of America.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Central Electric and Gas Company,

Petitioner,

310 vs.

C. Russell Mattson, Administrator of the Estate of William Brehm, Deceased, et al.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Vincent Anthony Sorrentino,

Petitioner,

311 vs.

The United States of America.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Charles L. Dye, Warden of the Allegheny County Jail,

Petitioner,

332 vs.

Leon Johnson, Alias Robert McMillan.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Sheldon C. Vinsonhaler, et al., a Partnership, etc.,

Appellants,

342 vs.

Roy Beard, Collector for the City of Little Rock, Arkansas.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Salvatore Tanuzzo and Nunze Dellaratta,

Petitioners,

5, Misc. vs.

The United States of America.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Carl Edelson,

Petitioner,

59, Misc. vs.

E. E. Thompson, Warden.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this motion.

Mollie Eagle,

Petitioner,

81, Misc. vs.

Benjamin Cherney and Samuel H. Berger.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Robert G. Schuman,

Petitioner,

174, Misc. vs.

Robert A. Heinze, Warden.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Carroll J. Chambers, Petitioner, vs. The United States.
79, Misc.

On petition for writ of certiorari to the United States Court of Appeals for the Fifth and Eighth Circuits.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Fifth and Eighth Circuits, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Grace W. Adkins, Petitioner, vs. E. I. Du Pont De Nemours and Co., Inc. and The United States.
108, Misc.

On petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Tenth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

John Dunlap, Petitioner, vs. Allen B. Hanney, United States District Judge.
110, Misc.

On petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Fifth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

George Rodinciuc, Petitioner, vs. The United States of America.

150, Misc.

On petition for writ of certiorari to the United States Court of Appeals for the Third Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Third Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

John B. Barker, Petitioner, vs. Paul C. Sharp, et al.

171, Misc.

On petition for writ of certiorari to the Supreme Court of the State of Minnesota.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of Minnesota, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Jesse Murphey and Albert Nixon, Petitioners, vs. People of the State of California.

210, Misc.

On petition for writ of certiorari to the Supreme Court of the State of California.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of California, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Michael Juliano,

Petitioner,

218, Misc. vs.

State of New York.

On petition for writ of certiorari to the Supreme Court of the State of New York.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of New York, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Joseph Beyers,

Petitioner,

220, Misc. vs.

Joseph E. Ragen, Warden.

On petition for writ of certiorari to the Supreme Court of the State of Illinois.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of Illinois, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Anna M. Phyle, on Behalf of William Jerome Phyle,

Petitioner,

229, Misc. vs.

Clinton T. Duffy, Warden.

On petition for writ of certiorari to the Supreme Court of the State of California.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of California, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Erville Brewer,

Petitioner,

185, Misc. vs.

J. M. Prisbie, Warden.

ON CONSIDERATION of the motion for leave to file a petition for writ of habeas corpus herein,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Mary A. Ruthven,

Petitioner,

216, Misc. vs.

Dr. Winfred Overholser.

ON CONSIDERATION of the motion for leave to file a petition for writ of habeas corpus herein,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

New Jersey State Society of Naturopaths, et al.,

Petitioners,

209, Misc. vs.

Hon. Phillip Forman, Judge.

ON CONSIDERATION of the motion for leave to file a petition for writ of mandamus herein,

IT IS ORDERED by this Court that the said motion be, and it is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

The United States of America,

Petitioner,

225, Misc. vs.

United States District Court for the Western District of Texas, etc., et al.

ON CONSIDERATION of the motion for leave to file a petition for writ of mandamus herein,

IT IS ORDERED by this Court that the said motion be, and it is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas and Mr. Justice Clark took no part in the consideration or decision of this application.

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Mr. Justice Douglas took no part in the consideration or decision of the cases in which orders are this day announced.

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Pete Darr,

Petitioner,

51 vs.

C. P. Burford, Warden, Oklahoma State Penitentiary.

Submitted by Mr. John B. Ogden for the petitioner and by Mr. Mac Q. Williamson and Mr. Sam H. Lattimore for the respondent.

Capitol Greyhound Lines, Pennsylvania Greyhound Lines, Inc., and Red Star Motor Coaches, Inc.,

Appellants,

118 vs.

Arthur H. Brice, Commissioner of Motor Vehicles, State of Maryland, Baltimore, Maryland.

Argued by Mr. Clarence W. Miles for the appellants and by Mr. Hall Hammond for the appellee.

Albert G. Dickinson,

Petitioner,

150 vs.

Petroleum Conversion Corporation.

Argued by Mr. Alexander Kahan for the respondent and submitted by Mr. Solomon Kaufman and Mr. Samuel Hershenstein for the petitioner.

The United States of America, ex rel.
Ellen Knauff,

Petitioner,

54 vs.

Edward J. Shaughnessey, Acting District
Director of Immigration and Naturalization.

Argument commenced by Mr. Gunther Jacobson for the petitioner and continued by Mr. Philip R. Monohan for the respondent.

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Proclamation being made the Court is adjourned until tomorrow at 12 o'clock.

TUESDAY, DECEMBER 6, 1949.

Pursuant to adjournment the Court met at the Supreme Court Building.

PRESENT:

The Honorable Fred M. Vinson, Chief Justice,
Hugo L. Black,
Stanley Reed,
Felix Frankfurter,
Robert H. Jackson,
Harold H. Burton,
Tom C. Clark,
Sherman Minton.
Associate Justices.

Thomas Ennalls Waggaman, Esquire, Marshal,

Charles Elmore Cropley, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Carlos J. Badger, It is ordered that Vernon F. Gant, Esquire, of Modesto, State of California, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. June P. Wooten, It is ordered that Wayne W. Owen, Esquire, of Little Rock, State of Arkansas, and Gerland P. Patten, Esquire, of Little Rock, State of Arkansas, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

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The United States of America, ex rel.
Ellen Knauff,

Petitioner,

54 vs.

Edward J. Shaughnessey, Acting District
Director of Immigration and Naturalization.

Argument continued by Mr. Philip R. Monohan for the respondent and concluded by Mr. Gunther Jacobson for the petitioner.

The United States,

Petitioner,

97 vs.

Jeff W. Moorman and James C. Moorman, Co-Partners, Doing Business as J. W. Moorman and Son.

Argued by Mr. Morton Liftin for the petitioner and by Mr. V. J. Bodovitz for the respondents.

Wong Yang Sung,

Petitioner,

154 vs.

J. Howard McGrath, Attorney General of the United States, et al.

Argued by Mr. Irving Jaffe for the petitioner and by Mr. Robert W. Ginnane for the respondents.

Louise M. Wissner and Leondous H. Wissner,

Appellants,

119 vs.

Margaret Wissner.

Argument commenced by Mr. Carlos J. Badger for the appellants.

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Proclamation being made the Court is adjourned until tomorrow at 12 o'clock.

WEDNESDAY, DECEMBER 7, 1949.

Pursuant to adjournment the Court met at the Supreme Court Building.

PRESENT:

The Honorable Fred M. Vinson, Chief Justice,
Hugo L. Black,
Stanley Reed,
Felix Frankfurter,
Robert H. Jackson,
Harold H. Burton,
Tom C. Clark,
Sherman Minton.
Associate Justices.

Thomas Ennalls Waggaman, Esquire, Marshal,

Charles Elmore Cropley, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. A. Devitt Vanech, It is ordered that Herbert M. Maletz, Esquire, of Washington, District of Columbia, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Paul A. Porter, It is ordered that Cornelius W. Grafton, Esquire, of Louisville, Commonwealth of Kentucky, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. William M. Fay, It is ordered that George F. Metfield, Esquire, of Plainfield, State of New Jersey, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Adolph H. Zwerner, It is ordered that Robert Roe Canfield, Esquire, of Rockford, State of Illinois, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Claude Bayles Mickelwait, It is ordered that Morton S. Jaffe, Esquire, of Philadelphia, Commonwealth of Pennsylvania, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Nathan L. Silberberg, It is ordered that Thomas E. Delahunt, Esquire, of Buffalo, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. James A. Branch, It is ordered that Thomas Broughton Branch, Jr., Esquire, of Atlanta, State of Georgia, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

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Louise M. Wissner and Leondous H. Wissner,

Appellants,

119 vs.

Margaret Wissner.

Argument continued by Mr. Carlos J. Badger for the appellants; by Mr. Morton Hollander for The United States, as amicus curiae, by special leave of Court; by Mr. Leslie A. Cleary for the appellee; and concluded by Mr. Carlos J. Badger for the appellants.

The United States of America,

Appellant,

334 vs.

Shoreline Cooperative Apartments, Inc., a Corporation, et al.

Argued by Mr. Solicitor General Perlman for the appellant and by Mr. Mayer Goldberg and Mr. George S. Stansell for the appellees.

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Proclamation being made the Court is adjourned until tomorrow at 12 o'clock.

THURSDAY, DECEMBER 8, 1949.

Pursuant to adjournment the Court met at the Supreme Court Building.

PRESENT:

The Honorable Fred M. Vinson, Chief Justice,
Hugo L. Black,
Stanley Reed,
Felix Frankfurter,
Robert H. Jackson,
Harold H. Burton,
Tom C. Clark,
Sherman Minton.
Associate Justices.

Thomas Ennalls Waggaman, Esquire, Marshal,
Charles Elmore Cropley, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Robert C. Ayers, It is ordered that William J. Millard, Jr., Esquire, of Olympia, State of Washington, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. P. Bateman Ennis, It is ordered that John C. Bryan, Esquire, of Washington, District of Columbia, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. James A. Glenn, It is ordered that J. W. Brown, Esquire, of Cincinnati, State of Ohio, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Rayburn L. Foster, It is ordered that George L. Sneed, Esquire, of Bartlesville, State of Oklahoma, and Sigfrid E. Floren, Esquire, of Oklahoma City, State of Oklahoma, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Elmore Whitehurst, It is ordered that John E. Bergener, Esquire, of Washington, District of Columbia, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Henry G. Fischer, It is ordered that Aida Casanas Marengo, of Rio Piedras, Puerto Rico, be admitted to practice as an Attorney and Counsellor of this Court, and she was sworn accordingly. (Miss)

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In the Matter of Admiral Dewey Adamson,

Petitioner.

263, Misc.

ON CONSIDERATION of the application for a stay of execution of the sentence of death of petitioner herein,

IT IS ORDERED by this Court that the said application be, and it is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Black is of the opinion the application should be granted.

Mr. Justice Douglas took no part in the consideration or decision of this application.

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R. M. Powell, et al.,

Petitioners,

96 vs.

The United States Cartridge Company;

Roy Cresl, et al.,

Petitioners,

58 vs.

Lone Star Defense Corporation; and

Julia Rhoda Aaron, etc., et al.,

Petitioners,

79 vs.

Ford, Bacon and Davis, Incorporated.

Argument commenced by Mr. Thomas Bond for the petitioners in No. 96; continued by Miss Bessie Margolin for The United States, as amicus curiae, by special leave of Court; by Mr. June P. Wooten for the petitioners in No. 79; by Mr. William L. Marbury for the respondents; by Mr. Robert H. McRoberts for the respondent in No. 96; and by Mr. Otto Atchley for the respondent in No. 58.

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Proclamation being made the Court is adjourned until tomorrow at 12 o'clock.

Pursuant to adjournment the Court met at the Supreme Court Building.

PRESENT:

The Honorable Fred M. Vinson, Chief Justice,
Hugo L. Black,
Stanley Reed,
Felix Frankfurter,
Robert H. Jackson,
Harold H. Burton,
Tom C. Clark,
Sherman Minton,
Associate Justices.

Thomas Ennalls Waggaman, Esquire, Marshal,

Charles Elmore Cropley, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Charles L. Black, It is ordered that Hawley C. Kerr, Esquire, of Tulsa, State of Oklahoma, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. William Howard Payne, It is ordered that J. Harold Decker, Esquire, of Los Angeles, State of California, and Everett H. Roan, Esquire, of San Francisco, State of California, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Owsley Vose, It is ordered that Gerald F. Krassa, Esquire, of New York, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

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R. M. Powell, et al.,

Petitioners,

96 vs.

The United States Cartridge Company;

Roy Creel, et al.,

Petitioners,

58 vs.

Lone Star Defense Corporation; and

Julia Rhoda Aaron, etc., et al.,

Petitioners,

79 vs.

Ford, Bacon and Davis, Incorporated.

Argument continued by Mr. E. L. McHaney, Jr., for the respondent in No. 79 and concluded by Miss Bessie Margolin for The United States, as amicus curiae, by special leave of Court, and case submitted by Mr. C. M. Kenney and Mr. Pat Coon for the petitioners in No. 58.

Regents of the University System of Georgia,

Petitioner,

83 vs.

W. E. Carroll, Clarence H. Calhoun, Mrs. Hattie J. Pickard, et al.

Argued by Mr. Hamilton Lokey for the petitioner; by Mr. Max Goldman for the Federal Communications Commission, as amicus curiae, by special leave of Court, and by Mr. James A. Branch for the respondents.

Skelly Oil Company, et al.,

Petitioners,

221 vs.

Phillips Petroleum Company.

Argued by Mr. Charles L. Black for the petitioners and by Mr. Harry D. Turner for the respondent.

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Proclamation being made the Court is adjourned until Monday, December 12, next, at 12 o'clock.

Pursuant to adjournment the Court met at the Supreme Court Building.

PRESENT:

The Honorable Fred M. Vinson, Chief Justice,
Hugo L. Black,
Stanley Reed,
Felix Frankfurter,
Robert H. Jackson,
Harold H. Burton,
Tom C. Clark,
Sherman Minton.
Associate Justices.

Thomas Ennalls Waggaman, Esquire, Marshal,

Charles Elmore Cropley, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Frederick J. Rice, It is ordered that Stewart Cureton, Esquire, of Santa Cruz, State of California, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Solicitor General Philip B. Perlman, It is ordered that Allen G. West, Esquire, of Oklahoma City, State of Oklahoma, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Walter Gordon Merritt, It is ordered that Charles B. Niebling, Esquire, of Newark, State of New Jersey, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. William Meade Fletcher, It is ordered that Lester E. Wills, Esquire, of Meridian, State of Mississippi, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Jo. V. Morgan, It is ordered that Manuel Carranza Gamboa, Esquire, of Washington, District of Columbia, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. John H. Pickering, It is ordered that Hugh Roberts Noval Smith, Esquire, of Washington, District of Columbia, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Lawrence H. Cake, It is ordered that Thomas Jackson Barnett, Esquire, of Chicago, State of Illinois, and Floyd J. Stuppi, Esquire, of Chicago, State of Illinois, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Lloyd M. McBride, It is ordered that Edward H. Baker, Jr., Esquire, of Chicago, State of Illinois, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Ganson Purcell, It is ordered that Stuart Nash Scott, Esquire, of New York, State of New York, and Roy M. D. Richardson, Esquire, of New York, State of New York, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Eberhard P. Deutsch, It is ordered that Harry Farrar Stiles, Jr., Esquire, of New Orleans, State of Louisiana, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Charles Sylvanus Rhyne, It is ordered that Clarence G. Miles, Esquire, of Lincoln, State of Nebraska, and John E. Jacobson, Esquire, of Lincoln, State of Nebraska, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Robert S. Miller, It is ordered that John Roger Montgomery, Esquire, of Portland, State of Oregon, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Reginald Carl Harmon, It is ordered that Albert M. Kuhfeld, Esquire, of Beach, State of North Dakota, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Leonard Raum, It is ordered that Nathan H. Sirota, Esquire, of New York, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Frank C. Tribbe, It is ordered that Clifford Charles Comisky, Esquire, of Portland, State of Oregon, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Samuel E. Neel, It is ordered that William Harry Markus, Esquire, of Pittsburgh, Commonwealth of Pennsylvania, and John Lester Miller, Esquire, of Pittsburgh, Commonwealth of Pennsylvania, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

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The United States, Petitioner, vs. The Toronto, Hamilton and Buffalo Navigation Company.

On writ of certiorari to the Court of Claims.

39

THIS CAUSE came on to be heard on the transcript of the record from the Court of Claims, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is ordered and adjudged by this Court that the judgment of the said Court of Claims in this cause, be, and the same is hereby, reversed; and that this cause be, and the same is hereby, remanded to the said Court of Claims for further proceedings in the light of the opinion of this Court.

Per Mr. Justice Clark.

Concurring opinion by Mr. Justice Frankfurter.

Mr. Justice Douglas took no part in the consideration or decision of this case.

Wilmette Park District,
Petitioner,
vs.
Nigel D. Campbell, Collector of Internal Revenue.

On writ of certiorari to the United States Court of Appeals for the Seventh Circuit.

75

THIS CAUSE came on to be heard on the transcript of the record from the United States Court of Appeals for the Seventh Circuit, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is now here ordered and adjudged by this Court that the judgment of the said United States Court of Appeals, in this cause, be, and the same is hereby, affirmed with costs; and that this cause be, and the same is hereby, remanded to the United States District Court for the Northern District of Illinois.

Per Mr. Justice Clark.

Mr. Justice Douglas and Mr. Justice Minton took no part in the consideration or decision of this case.

Sarah O'Donnell, Administratrix of the Estate of William O'Donnell, Deceased,
Petitioner,
vs.
Elgin, Joliet and Eastern Railway Company.

On writ of certiorari to the United States Court of Appeals for the Seventh Circuit.

56

THIS CAUSE came on to be heard on the transcript of the record from the United States Court of Appeals for the Seventh Circuit, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is now here ordered and adjudged by this Court that the judgment of the said United States Court of Appeals, in this cause, be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the United States District Court for the Northern District of Illinois for further proceedings in conformity with the opinion of this Court.

Per Mr. Justice Jackson.

Dissenting opinion by Mr. Justice Burton in which Mr. Justice Reed concurs.

Mr. Justice Frankfurter, Mr. Justice Douglas, and Mr. Justice Minton took no part in the consideration or decision of this case.

The United States of America, Petitioner, vs. Aetna Casualty and Surety Company.

On writ of certiorari to the United States Court of Appeals for the Second Circuit.

35

THIS CAUSE came on to be heard on the transcript of the record from the United States Court of Appeals for the Second Circuit, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is now here ordered and adjudged by this Court that the judgment of the said United States Court of Appeals, in this cause, be, and the same is hereby, affirmed; and that this cause be, and the same is hereby, remanded to the United States District Court for the Eastern District of New York.

Per Mr. Chief Justice Vinson.

Dissenting: Mr. Justice Black.

Mr. Justice Douglas took no part in the consideration or decision of this case.

The United States of America, Petitioner, vs. World Fire and Marine Insurance Company. On writ of certiorari to the United States Court of Appeals for the Tenth Circuit.

36

THIS CAUSE came on to be heard on the transcript of the record from the United States Circuit Court of Appeals for the Tenth Circuit, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is now here ordered and adjudged by this Court that the judgment of the said United States Court of Appeals, in this cause, be, and the same is hereby, affirmed; and that this cause be, and the same is hereby, remanded to the United States District Court for the District of New Mexico.

Per Mr. Chief Justice Vinson.

Dissenting: Mr. Justice Black.

Mr. Justice Douglas took no part in the consideration or decision of this case.

The United States of America, Petitioner, vs. Yorkshire Insurance Company. On writ of certiorari to the United States Court of Appeals for the Third Circuit.

37

THIS CAUSE came on to be heard on the transcript of the record from the United States Court of Appeals for the Third Circuit, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is now here ordered by this Court that the judgment of the said United States Court of Appeals, in this cause, be, and the same is hereby, affirmed; and that this cause be, and the same is hereby, remanded to the United States District Court for the District of New Jersey.

Per Mr. Chief Justice Vinson.

Dissenting: Mr. Justice Black.

Mr. Justice Douglas took no part in the consideration or decision of this case.

The United States of America, Petitioner, vs. The Home Insurance Company. — On writ of certiorari to the United States Court of Appeals for the Third Circuit.

38

THIS CAUSE came on to be heard on the transcript of the record from the United States Court of Appeals for the Third Circuit, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is now here ordered and adjudged by this Court that the judgment of the said United States Court of Appeals, in this cause, be, and the same is hereby, affirmed; and that this cause be, and the same is hereby, remanded to the United States District Court for the District of New Jersey.

Per Mr. Chief Justice Vinson.

Dissenting: Mr. Justice Black.

Mr. Justice Douglas took no part in the consideration or decision of this case.

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The Chief Justice announced the following orders of the Court:

The United States of America, Appellant, vs. Shoreline Cooperative Apartments, Inc., a Corporation; J. M. Nicholson, Robert R. Lumsden, et al. — Appeal from the United States District Court for the Northern District of Illinois.

334

THIS CAUSE came on to be heard on the transcript of the record from the United States District Court for the Northern District of Illinois, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is ordered, adjudged, and decreed by this Court that the decree of the said District Court in this cause be, and the same is hereby, reversed; and that this cause be, and the same is hereby, remanded to the said District Court for further proceedings in conformity with the opinion of this Court.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this case.

Land O'Lakes Dairy Company,

Appellant,

447 vs.

County of Wadena and State of Minnesota.

Appeal from the Supreme Court of the State of Minnesota.

THIS CAUSE came on to be heard on the transcript of the record from the Supreme Court of the State of Minnesota, and on motion to dismiss or affirm, which was duly submitted.

ON CONSIDERATION WHEREOF, It is now here ordered by this Court that the motion to affirm the judgments of the said Supreme Court, in this cause, be, and the same is hereby, granted.

IT IS FURTHER ORDERED AND ADJUDGED that the judgments of the said Supreme Court, in this cause, be, and the same are hereby, affirmed with costs.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this case.

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The Chief Justice said:

"The other orders of the Court appear upon the list certified by the Chief Justice and filed with the Clerk and will not be announced orally."

Julius A. Krug, Department of Interior,

Petitioner,

60 vs.

Sheridan-Wyoming Coal Company, Inc.

ON CONSIDERATION of the suggestion of a diminution of the record and a motion for a writ of certiorari in that relation,

IT IS ORDERED by this Court that the said motion for writ of certiorari, be, and it is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Julius A. Krug, Department of Interior,

Petitioner,

60 vs.

Sheridan-Wyoming Coal Company, Inc.

ON CONSIDERATION of the motion of the Solicitor General of the United States to substitute Oscar L. Chapman as the party petitioner in this case,

IT IS ORDERED by this Court that the said Oscar L. Chapman be substituted as the party petitioner in this case in place of Julius A. Krug, and that the cause be so continued and maintained.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this motion.

The International Union of United Automobile, Aircraft and Agricultural Implement Workers of America, C. I. O., et al.,

Appellants,

456 vs.

Gerald K. O'Brien, Wayne County Prosecuting Attorney, et al.

The statement of jurisdiction in this case having been submitted and considered by the Court, probable jurisdiction is noted.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this question.

Plankinton Packing Company, Order allowing certiorari.

Petitioner,

419 vs.

Wisconsin Employment Relations Board, et al.

The petition herein for a writ of certiorari to the Supreme Court of the State of Wisconsin is granted.

And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Order of Railway Conductors of America, an Unincorporated Association,

Petitioner,

438 vs.

Southern Railway Company, a Corporation Organized and Existing Under the Laws of the State of Virginia.

Order allowing certiorari.

The petition herein for a writ of certiorari to the Supreme Court of the State of South Carolina is granted. The case is transferred to the summary docket and assigned for argument immediately following No. 391, Slocum, as General Chairman vs. Delaware, Lackawanna and Western Railroad Co.

And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Ryan Stevedoring Company, Inc., Petitioner,

410 vs.

The United States of America.

On petition for writ of certiorari to the United States Court of Appeals for the Second Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Second Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Margaret Shields, and Henry K. Shields, By His Mother and Next Friend Margaret Shields, Petitioners,

412 vs.

The United States of America and War Shipping Administration.

On petition for writ of certiorari to the United States Court of Appeals for the Third Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Third Circuit, it is ordered

by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

National Labor Relations Board, Petitioner,
413 vs.
The Ohio Power Company.

On petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Sixth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Interstate Equipment Corporation, Petitioner,
423 vs.
Hartford Accident and Indemnity Company, To the Use of Esther F. Silva, et al.

On petition for writ of certiorari to the United States Court of Appeals for the Third Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Third Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Interstate Equipment Corporation, Petitioner,
424 vs.
United States District Court for the District of New Jersey, et al.

On petition for writ of certiorari to the United States Court of Appeals for the Third Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Third Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

The Homeworkers' Handicraft Cooperative and Millhiser Bag Company,

Petitioners,

425 vs.

William R. McComb, Administrator of the Wage and Hour Division, United States Department of Labor.

On petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Fourth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Belle W. Baruch,

Petitioner,

437 vs.

Beech Aircraft Corporation.

On petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Tenth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

J. S. Casselman, James D. Towne, J. E. Abel and George Hill,

Petitioners,

358 vs.

State of Idaho.

On petition for writ of certiorari to the Supreme Court of the State of Idaho.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of Idaho, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Black, Mr. Justice Reed and Mr. Justice Burton are of the opinion certiorari should be granted.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Independence Lead Mines Company,
Petitioner,
406 vs.
Alma R. Kingsbury and Olga Marquardt.

On petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Ninth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Independence Lead Mines Co.,
Petitioner,
179, Misc. vs.
Alma R. Kingsbury, et al.

ON CONSIDERATION of the motion for leave to file a petition for writ of certiorari in this cause,

IT IS ORDERED by this Court that the said motion be, and it is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Bolitha J. Laws, Chief Judge, et al., Comprising the United States District Court for the District of Columbia,
Petitioners,
422 vs.
John W. Carter.

On petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the District of Columbia Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas and Mr. Justice Clark took no part in the consideration or decision of this application.

The United States of America, et al.,

Appellants,

40 vs.

The Capital Transit Company, et al.; and

Washington, Virginia, and Maryland Coach Company, Inc., et al.,

Appellants,

41 vs.

The Capital Transit Company, et al.

A petition for rehearing having been filed in these cases,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Lynchburg Traffic Bureau,

Appellant,

363 vs.

The United States of America, Interstate Commerce Commission, et al.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Johnnie P. Slaughter,

Petitioner,

15, Misc. vs.

The United States of America.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Helen Maxine Castor,

Petitioner,

55, Misc. vs.

The United States of America, et al.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

John Luther Lama,

Petitioner,

138, Misc. vs.

People of the State of California, et al.

On petition for writ of certiorari to the Supreme Court of the State of California.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of California, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Ike Kostrow and Bernard J. Wollis,

Petitioners,

139, Misc. vs.

Commonwealth of Virginia, ex rel. Virginia Oak Tannery, Inc.

On petition for writ of certiorari to the Circuit Court of Page County and the Supreme Court of Appeals of the Commonwealth of Virginia.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Circuit Court of Page County and the Supreme Court of Appeals of the Commonwealth of Virginia, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Hilbert Murray,

Petitioner,

232, Misc. vs.

Browning Robinson, Warden.

On petition for writ of certiorari to the Circuit Court of Williamson County of the State of Illinois.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Circuit Court of Williamson County of the State of Illinois, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Cecil Lee Edgeman,

Petitioner,

186, Misc. vs.

R. W. Alvis, Warden.

ON CONSIDERATION of the motion for leave to file a petition for writ of habeas corpus herein,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Sam Wedgle,

Petitioner,

231, Misc. vs.

The United States of America.

ON CONSIDERATION of the motion for leave to file a petition for writ of habeas corpus herein,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

In the Matter of Percy W. Whistler,

234, Misc. Petitioner.

ON CONSIDERATION of the motion for leave to file a petition for writ of habeas corpus herein,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Albert Van Pelt,

Petitioner,

248, Misc. vs.

Joseph E. Ragen, Warden.

ON CONSIDERATION of the motion for leave to file a petition for writ of habeas corpus herein,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Sol Newstead,

Petitioner,

226, Misc. vs.

Dr. Winfred Overholser.

ON CONSIDERATION of the motion for leave to file a petition for writ of mandamus herein, -

IT IS ORDERED by this Court that the said motion be, and it is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

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Mr. Justice Douglas took no part in the consideration or decision of the cases in which orders or judgments are this day announced.

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The Court will take a recess from Monday, December 19, until Monday, January 9, 1950.

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The United States,

Petitioner,

214 vs.

Cumberland Public Service Company, a Corporation.

Argued by Mr. Hilbert P. Zarky for the petitioner and by Mr. Cornelius W. Grafton for the respondent.

Civil Aeronautics Board,

Petitioner,

157 vs.

State Airlines, Inc.;

State Airlines, Inc.,

Petitioner,

158 vs.

Civil Aeronautics Board and Piedmont Aviation, Inc.; and

Piedmont Aviation, Inc.,

Petitioner,

159 vs.

State Airlines, Inc.

Argued by Mr. Frederick W. P. Lorenzen for State Airlines, Inc.; by Mr. Emory T. Mumaley, Jr., for the Civil Aeronautics Board; and by Mr.

Charles H. Murchison for Piedmont Aviation, Inc.

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Proclamation being made the Court is adjourned until tomorrow at 12 o'clock.

TUESDAY, DECEMBER 13, 1949.

Pursuant to adjournment the Court met at the Supreme Court Building.

PRESENT:

The Honorable Fred M. Vinson, Chief Justice,
Hugo L. Black,
Stanley Reed,
Felix Frankfurter,
Robert H. Jackson,
Harold H. Burton,
Tom C. Clark,
Sherman Minton.
Associate Justices.

Thomas Ennalls Waggaman, Esquire, Marshal,

Charles Elmore Cropley, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. J. Frank Staley, It is ordered that Nicholas Joseph Healy, 3rd, Esquire, of New York, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

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New Jersey Realty Title Insurance Company,

Appellant,

147 vs.

Division of Tax Appeals in the Department of Taxation and Finance of the State of New Jersey and the City of Newark.

Argued by Mr. Walter Gordon Merritt for the appellant and by Mr. Vincent J. Casale for the appellees.

The United States of America,

Appellant,

171 vs.

Joe Burnison and Phil C. Katz, Public Administrator of the City and County of San Francisco; and

The United States of America,

Appellant,

188 vs.

Charles F. Gayetty, et al.

Argued by Mr. Melvin Richter for the appellant and by Mr. J. Harold Decker for the appellees.

J. Baker Bryan, Sr.,

Petitioner,

178 vs.

The United States of America.

Argument commenced by Mr. Carl J. Batter for the petitioner and continued by Miss Melva M. Graney for the respondent.

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Proclamation being made the Court is adjourned until tomorrow at 12 o'clock.

Pursuant to adjournment the Court met at the Supreme Court Building.

PRESENT:

The Honorable Fred M. Vinson, Chief Justice,
Hugo L. Black,
Stanley Reed,
Felix Frankfurter,
Robert H. Jackson,
Harold H. Burton,
Tom C. Clark,
Sherman Minton. Associate Justices.

Thomas Ennalls Waggaman, Esquire, Marshal,

Charles Elmore Cropley, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. James H. Flanagan, It is ordered that Francis F. Carmichael, Esquire, of Boston, Commonwealth of Massachusetts, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. John D. Noble, Jr., It is ordered that John C. Marchant, Esquire, of Boston, Commonwealth of Massachusetts, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Elgood Edward Stephens, It is ordered that Wilburn C. West, Esquire, of Salt Lake City, State of Utah, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

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J. Baker Bryan, Sr.,

Petitioner,

178 vs.

The United States of America.

Argument continued by Miss Melva M. Graney for the respondent and concluded by Mr. Carl J. Batter for the petitioner.

The United States of America,

Petitioner,

217 vs.

Alexander Lawrence Alpers.

Argued by Mr. Joseph W. Bishop for the petitioner and case submitted by Mr. A. J. Zirpoli for the respondent.

The United States of America,

Petitioner,

273 vs.

Morton Salt Company; and

The United States of America,

Petitioner,

274 vs.

International Salt Company.

Argued by Mr. Philip Elman for the petitioner; by Mr. L. M. McBride for the respondent in No. 273 and by Mr. Frederic R. Sanborn for the respondent in No. 274.

Swift and Company Packers, et al.,

Petitioners,

230 vs.

Compania Colombiana Del Caribe, S. A.

Argument commenced by Mr. Eberhard P. Deutsch for the petitioners.

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Proclamation being made the Court is adjourned until tomorrow at 12 o'clock.

THURSDAY, DECEMBER 15, 1949.

Pursuant to adjournment the Court met at the Supreme Court Building.

PRESENT:

The Honorable Fred M. Vinson, Chief Justice,
Hugo L. Black,
Stanley Reed,
Felix Frankfurter,
Robert H. Jackson,
Harold H. Burton,
Tom C. Clark,
Sherman Minton.
Associate Justices.

Thomas Ennalls Waggaman, Esquire, Marshal,

Charles Elmore Cropley, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Albert L. Reeves, Jr., It is ordered that Roy P. Swanson, Esquire, of Kansas City, State of Missouri, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

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Swift and Company Packers, et al.,

Petitioners,

230 vs.

Compania Colombiana Del Caribe, S. A.

Argument continued by Mr. Eberhard P. Deutsch for the petitioners; by Mr. Nicholas J. Healy, Jr., for the respondent, and concluded by Mr. Eberhard P. Deutsch for the petitioners.

The United States of America,

Petitioner,

98 vs.

Ernestina G. Fleischman; and

The United States of America,

Petitioner,

99 vs.

Helen R. Bryan.

Argued by Mr. Solicitor General Perlman for the petitioner and by Mr. O. John Rogge and Mr. Benedict Wolf for the respondents.

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ORDER

Pursuant to the provisions of Title 28, United States Code, section 672(a);

IT IS ORDERED BY THIS COURT that the compensation of the Marshal of this Court be, and it hereby is, fixed at the rate of $11,000.00 per annum, subject to the further order, or orders, of this Court.

The provisions of this order shall be effective as of December 16, 1949.

/s/ Fred M. Vinson

CHIEF JUSTICE

ORDER

Pursuant to the provisions of Title 28, United States Code, section 673(a);

IT IS ORDERED BY THIS COURT that the compensation of the Reporter of its decisions be, and it hereby is, fixed at the rate of $11,363.00 per annum, subject to the further order, or orders, of this Court.

The provisions of this order shall be effective as of December 16, 1949.

/s/ Fred M. Vinson.

CHIEF JUSTICE

ORDER

Pursuant to the provisions of Title 28, United States Code, section 674(a);

IT IS ORDERED BY THIS COURT that the salary of the Librarian of this Court be, and it hereby is, fixed at the rate of $9,350.00 per annum, subject to the further order, or orders, of this Court.

The provisions of this order shall be effective as of December 16, 1949.

/s/ Fred M. Vinson

CHIEF JUSTICE

ORDER

Pursuant to the provisions of Title 28, United States Code, section 671(a);

IT IS ORDERED BY THIS COURT that the compensation of the respective Deputy Clerks of this Court be, and it hereby is, fixed as follows:

REGINALD C. DILLI	$7,150.00 per annum,
HUGH W. BARR	7,150.00 per annum,
HAROLD B. WILLEY	9,900.00 per annum,

subject to the further order, or orders, of this Court.

The provisions of this order shall be effective as of December 15, 1949.

/s/ Fred M. Vinson

CHIEF JUSTICE

ORDER

IT IS ORDERED that, pursuant to 28 United States Code, section 671(c), the Clerk of this Court be, and he hereby is, authorized to pay to the assistants and messengers of his office staff annual compensation not in excess of the following schedule:

1 Assistant Clerk	$5,610.00	$5,610.00
1 Assistant Clerk	6,050.00	6,050.00
1 Assistant Clerk	6,600.00	6,600.00
1 Assistant Clerk	3,960.00	3,960.00
1 Assistant Clerk	4,400.00	4,400.00
1 Assistant Clerk	5,500.00	5,500.00
1 Assistant Clerk	4,180.00	4,180.00
1 Assistant Clerk	6,380.00	6,380.00
1 Assistant Clerk	4,730.00	4,730.00
1 Assistant Clerk	6,380.00	6,380.00
3 Messengers	2,805.00 each	8,415.00
Total amount authorized by this order		$62,205.00

This order to take effect as of December 15, 1949.

/s/ Fred M. Vinson

CHIEF JUSTICE

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Proclamation being made the Court is adjourned until Monday, December 19, next, at 12 o'clock.

MONDAY, DECEMBER 19, 1949.

Pursuant to adjournment the Court met at the Supreme Court Building.

PRESENT:

The Honorable Fred M. Vinson, Chief Justice,
Hugo L. Black,
Stanley Reed,
Felix Frankfurter,
Robert H. Jackson,
Harold H. Burton,
Tom C. Clark,
Sherman Minton. Associate Justices.

Thomas Ennalls Waggaman, Esquire, Marshal,

Charles Elmore Cropley, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Solicitor General Philip B. Perlman, It is ordered that Leonard R. Posner, Esquire, of Hartford, State of Connecticut, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Roy St. Lewis, It is ordered that C. E. Ram Morrison, Esquire, of Oklahoma City, State of Oklahoma, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. William E. Leahy, It is ordered that Donald H. Dalton, Esquire, of Washington, District of Columbia, and Abraham Lillienthal, Esquire, of New York, State of New York, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. James W. Cassedy, Jr., It is ordered that Cyrus Austin, Esquire, of New York, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. George B. Fraser, It is ordered that Albert B. Maginnes, Esquire, of New York, State of New York, and J. Quincy Hunsicker, 3rd, Esquire, of New York, State of New York, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Edwin L. Fisher, It is ordered that E. E. Naylor, Esquire, of Washington, District of Columbia, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Ralph H. Dwan, It is ordered that J. Neil Morton, Esquire, of Saint Paul, State of Minnesota, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Harry S. Wender, It is ordered that Arnold Forster, Esquire, of New York, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. F. Trowbridge vom Baur, It is ordered that Seneca B. Anderson, Esquire, of Dedham, Commonwealth of Massachusetts, and Waldo Noyes, Esquire, of Weston, Commonwealth of Massachusetts, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

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Leroy Carter, Petitioner, vs. Atlanta and Saint Andrews Bay Railway Company, a Body Corporate.

On writ of certiorari to the United States Court of Appeals for the Fifth Circuit.

23

THIS CAUSE came on to be heard on the transcript of the record from the United States Court of Appeals for the Fifth Circuit, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is now here ordered and adjudged by this Court that the judgment of the said United States Court of Appeals, in this cause, be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the United States District Court for the Middle District of Alabama for further proceedings in conformity with the opinion of this Court.

Per Mr. Justice Clark.

Dissenting: Mr. Justice Reed.

Separate opinion by Mr. Justice Frankfurter stating writ of certiorari should be dismissed as improvidently granted.

Mr. Justice Douglas took no part in the consideration or decision of this case.

Alcoa Steamship Company, Inc., Petitioner, vs. The United States of America.

On writ of certiorari to the United States Court of Appeals for the Second Circuit.

271

THIS CAUSE came on to be heard on the transcript of the record from the United States Court of Appeals for the Second Circuit, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is now here ordered and adjudged by this Court that the judgment of the said United States Court of Appeals, in this cause, be, and the same is hereby, affirmed; and that this cause be, and the same is hereby, remanded to the United States District Court for the Southern District of New York.

Per Mr. Justice Reed.

Dissenting: Mr. Justice Frankfurter and Mr. Justice Burton.

Mr. Justice Douglas took no part in the consideration or decision of this case.

The Chief Justice announced the following orders of the Court:

C. C. Wiley and Sons, Incorporated, Appellant, vs. The United States of America and Interstate Commerce Commission. — Appeal from the United States District Court for the Western District of Virginia.

464

THIS CAUSE came on to be heard on the transcript of the record from the United States District Court for the Western District of Virginia, and on motion to affirm, which was duly submitted.

ON CONSIDERATION WHEREOF, It is ordered by this Court that the motion to affirm in this cause be, and the same is hereby, granted.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that the decree of the said District Court in this cause, be, and it is hereby, affirmed.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this case.

The United States of America, Appellant, vs. Dan Steffan. — Appeal from the United States District Court for the Northern District of Illinois.

473

THIS CAUSE came on to be heard on the transcript of the record from the United States District Court for the Northern District of Illinois, and was duly submitted on the jurisdictional statement.

ON CONSIDERATION WHEREOF, It is ordered, adjudged, and decreed by this Court that the decree of the said District Court in this cause be, and the same is hereby, reversed; and that this cause, be, and the same is hereby, remanded to the said District Court for further proceedings in conformity with the opinion of this Court. United States v. Shoreline Cooperative Apartments, No. 334, October Term, 1949, decided December 12, 1949.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this case.

Victor Hubsch,

Petitioner,

379 vs.

The United States of America; and

On application of petitioners and the Solicitor General for approval of settlement.

Margaret Schweitzer,

Petitioner,

380 vs.

The United States of America.

Per curiam: We granted writs of certiorari in these cases, - - - U. S. - - -, to review a decision of the Court of Appeals for the Fifth Circuit affirming judgments of the District Court for the Southern District of Florida in favor of the United States on claims arising under the Federal Tort Claims Act. Before argument, petitioners and the Solicitor General submitted a joint application for approval of proposed settlements of the claims, citing 28 U. S. C. §2677, which reads as follows:

"The Attorney General, with the approval of the court, may arbitrate, compromise, or settle any claim cognizable under section 1346 (b) of this Title (suits under the Tort Claims Act), after commencement of an action thereon."

We construe §2677 as imposing on the District Court the authority and responsibility for passing on proposed compromises, notwithstanding the judgments of the Court of Appeals affirming the judgments of the District Court heretofore entered herein. The application and stipulations are therefore referred to the United States District Court for the Southern District of Florida with authority to consider and dispose of the same.

Per Mr. Chief Justice Vinson.

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The Chief Justice said:

"The other orders of the Court appear upon the list certified by the Chief Justice and filed with the Clerk and will not be announced orally."

The United States of America,

Plaintiff,

12 Original vs.

The State of Louisiana; and

The United States of America,

Plaintiff,

13, Original vs.

The State of Texas.

ON CONSIDERATION of the supplemental motion of Annie C. Lewis, et al., for leave to file bill of complaint herein,

IT IS ORDERED by this Court that the said motion be, and it is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas, Mr. Justice Jackson, and Mr. Justice Clark took no part in the consideration or decision of this application.

The International Union of United Automobile, Aircraft and Agricultural Implement Workers of America, C. I. O., et al.,

Appellants,

456 vs.

Gerald K. O'Brien, Wayne County Prosecuting Attorney, et al.

ON CONSIDERATION of the motion of the National Labor Relations Board for leave to appear and present oral argument as amicus curiae in this case,

IT IS ORDERED by this Court that the said motion be, and it is hereby, granted.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this motion.

Jiffy Lubricator Company, Inc.,

Petitioner,

460 vs.

Stewart-Warner Corporation.

ON CONSIDERATION of the motion of petitioner for leave to file brief in support of petition for writ of certiorari in this case on or before December 24, 1949,

IT IS ORDERED by this Court that the said motion be, and it is hereby, granted.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this motion.

Building Service Employees International Union, Local 262, et al.,

Petitioners,

449 vs.

W. L. Gazzam.

Order allowing certiorari.

The petition herein for a writ of certiorari to the Supreme Court of the State of Washington is granted.

And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

International Brotherhood of Teamsters, Chauffeurs, Warehousemen and Helpers Union, Local 309, et al.,

Petitioners,

309 vs.

A. E. Hanke, et al., Co-partners, D. B. A. Atlas Auto Rebuild.

Order allowing certiorari.

The petition herein for a writ of certiorari to the Supreme Court of the State of Washington is granted. The case is transferred to the summary docket and assigned for argument immediately following No. 449, Building Service Employees International Union, et al. vs. Gazzam.

And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Automobile Drivers and Demonstrators Local Union No. 882, et al.,

Petitioners,

364 vs.

George E. Cline.

Order allowing certiorari.

The petition herein for a writ of certiorari to the Supreme Court of the State of Washington is granted. The case is transferred to the summary docket and assigned for argument immediately following No. 309, International Brotherhood of Teamsters, Chauffeurs, etc., et al. vs. Hanke, et al.

And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Andrew J. Moloney,

Petitioner,

374 vs.

Marjorie H. Moloney (Ailworth).

On petition for writ of certiorari to the Supreme Court of the State of Kansas.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of Kansas, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

The United States, Petitioner, vs. William Winters and John T. Payne, Co-Partners Doing Business Under the Firm Name and Style of William Winters and Co.

377

On petition for writ of certiorari to The Court of Claims.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Court of Claims and of the argument of counsel thereupon had, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Gauley-Eagle Coal and Coke Company, Petitioner, vs. T. J. Blair, Jr., et al.

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On petition for writ of certiorari to the Supreme Court of Appeals of the State of West Virginia.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of Appeals of the State of West Virginia, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Annie Mary Timmons, Petitioner, vs. J. D. Fagan.

429

On petition for writ of certiorari to the Supreme Court of the State of South Carolina.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of South Carolina, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

The United States of America, on Relation of James W. Mobley, Relator,

Petitioner,

430 vs.

General Thomas T. Handy, Commanding Officer Fort Sam Houston.

On petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Fifth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Mario Morano,

Petitioner,

436 vs.

Commissioner of Internal Revenue.

On petition for writ of certiorari to the United States Court of Appeals for the Third Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Third Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

William Heyman and Lydia Vogel Heyman,

Petitioners,

439 vs.

Commissioner of Internal Revenue.

On petition for writ of certiorari to the United States Court of Appeals for the Second Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Second Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Lydia Vogel Heyman,
Petitioner,
440 vs.
Commissioner of Internal Revenue.

On petition for writ of certiorari to the United States Court of Appeals for the Second Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Second Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Arrow Stevedoring Company,
Petitioner,
441 vs.
The United States of America.

On petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Ninth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Arrow Stevedoring Company,
Petitioner,
442 vs.
The United States of America.

On petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Ninth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Titusville Dairy Products Company,

Petitioner,

443 vs.

Charles F. Brannan, Secretary of Agriculture of the United States.

On petition for writ of certiorari to the United States Court of Appeals for the Third Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Third Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

California State Automobile Association,

Petitioner,

444 vs.

James G. Smyth, Collector of Internal Revenue of the First Internal Revenue Collection District of California.

On petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Ninth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Earl Guy,

Petitioner,

446 vs.

L. F. Utecht, Warden of State Prison, Stillwater, Minnesota.

ON CONSIDERATION of the motion to dispense with printing the record in this case,

IT IS ORDERED by this Court that the said motion be, and it is hereby, granted.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this motion.

Earl Guy,

Petitioner,

446 vs.

L. F. Utecht, Warden of State Prison, Stillwater, Minnesota.

On petition for writ of certiorari to the Supreme Court of the State of Minnesota.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of Minnesota, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Eugene Barrigar,

Petitioner,

6, Misc. vs.

People of the State of Illinois.

On petition for writ of certiorari to the Circuit Court of Adams County of the State of Illinois.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Circuit Court of Adams County of the State of Illinois, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Oliver Snell,

Petitioner,

10, Misc. vs.

Nathan Mayo, as Prison Custodian.

On petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Fifth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Dell Texas Dalton, Petitioner, vs. Walter A. Hunter, Warden. — On petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit.

44, Misc.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Tenth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

R. V. Prince, Petitioner, vs. State of Missouri. — On petition for writ of certiorari to the Supreme Court of the State of Missouri.

49, Misc.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of Missouri, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Carl Edmond Owens, Petitioner, vs. The United States. — On petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit.

78, Misc.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Fifth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Edward S. Wetherbee, Petitioner, vs. The United States of America. — On petition for writ of certiorari to the United States Court of Appeals for the Second Circuit.

94, Misc.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Second Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Simon Adams, Petitioner, vs. The State of Texas. — On petition for writ of certiorari to the Court of Criminal Appeals of the State of Texas.

140, Misc.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Court of Criminal Appeals of the State of Texas, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Howard D. Gibson, Petitioner, vs. People of the State of California. — On petition for writ of certiorari to the Supreme Court of the State of California.

183, Misc.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of California, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Clifford A. Reanier, Petitioner, vs. Tom Smith, Supt. — On petition for writ of certiorari to the Supreme Court of the State of Washington.

196, Misc.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of Washington, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Matthew Miller, Petitioner, vs. Steamer "Sultana" — On petition for writ of certiorari to the United States Court of Appeals for the Second Circuit.

204, Misc.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Second Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

James I. Caviness, Petitioner, vs. State of North Carolina. — On petition for writ of certiorari to the Supreme Court of the State of North Carolina.

227, Misc.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of North Carolina, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Bernard M. Shotkin, Petitioner, vs. W. F. Perkins, et al. 228, Misc. — On petition for writ of certiorari to the Supreme Court of the State of Colorado.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of Colorado, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Don Westenhaver, Petitioner, vs. People of the State of Illinois. 230, Misc. — On petition for writ of certiorari to the Circuit Court of Shelby County of the State of Illinois.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Circuit Court of Shelby County of the State of Illinois, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

James Johnson, Petitioner, vs. Joseph E. Ragen, Warden. 238, Misc. — On petition for writ of certiorari to the Supreme Court of the State of Illinois.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of Illinois, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Steve G. Reeves, Petitioner,
239, Misc. vs.
Joseph E. Ragen, Warden.

On petition for writ of certiorari to the Circuit Court of Will County of the State of Illinois.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Circuit Court of Will County of the State of Illinois, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Bernard M. Shotkin, etc., Petitioner,
240, Misc. vs.
W. F. Perkins.

On petition for writ of certiorari to the Supreme Court of the State of Colorado.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of Colorado, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Emanuel Perrozzi, Petitioner,
245, Misc. vs.
Joseph E. Ragen, Warden.

On petition for writ of certiorari to the Circuit Court of Will County of the State of Illinois.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Circuit Court of Will County of the State of Illinois, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Carlton Joseph Sherlock,

Petitioner,

249, Misc. vs.

Joseph E. Ragen, Warden.

On petition for writ of certiorari to the Circuit Court of Stark County of the State of Illinois.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Circuit Court of Stark County of the State of Illinois, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Gilbert Joseph Stinchcomb, /

Petitioner,

250, Misc. vs.

Robert A. Heinze, Warden.

On petition for writ of certiorari to the Supreme Court of the State of California.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of California, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

George Foley,

Petitioner,

235, Misc. vs.

J. Earl Major, Chief Judge and Circuit Judges of the United States Court of Appeals for the Seventh Circuit.

ON CONSIDERATION of the motion for leave to file a petition for writ of mandamus herein,

IT IS ORDERED by this Court that the said motion be, and it is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Charles Montgomery,

Petitioner,

242, Misc. vs.

People of the State of North Carolina.

ON CONSIDERATION of the motion for leave to file a petition for writ of habeas corpus herein,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Julius Bernard Sherman,

Petitioner,

372, Misc. O.T. '48 vs.

Joseph E. Ragen, Warden, et al.

ON CONSIDERATION of the motion to transfer this case to the United States District Court,

IT IS ORDERED by this Court that the said motion be, and it is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

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Mr. Justice Douglas took no part in the consideration or decision of the cases in which judgments or orders are this day announced.

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Proclamation being made the Court is adjourned until Monday, January 9, next, at 12 o'clock.

MONDAY, JANUARY 9, 1950.

Pursuant to adjournment the Court met at the Supreme Court Building.

PRESENT:

The Honorable Fred M. Vinson, Chief Justice,
Hugo L. Black,
Stanley Reed,
Felix Frankfurter,
Robert H. Jackson,
Harold H. Burton,
Tom C. Clark,
Sherman Minton.
Associate Justices.

Thomas Ennalls Waggaman, Esquire, Marshal,
Charles Elmore Cropley, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Hammond E. Chaffetz, It is ordered that William H. Van Oosterhout, Esquire, of Chicago, State of Illinois, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. H. Clay Espey, It is ordered that Joe Hatfield, Esquire, of West Palm Beach, State of Florida, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Edward M. Reidy, It is ordered that Clarence A. Bernhard, Esquire, of Rockville, State of Maryland, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Gerard F. Treanor, It is ordered that Samuel A. Cohen, Esquire, of New York, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Ralph Page Wanlass, It is ordered that John Yonco, Esquire, of Chicago, State of Illinois, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Rowland L. Davis, Jr., It is ordered that Pierre W. Evans, Esquire, of Elmira, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Al. Philip Kane, It is ordered that John Van Brunt, Jr., Esquire, of Wilmington, State of Delaware, and Clair John Killoran, Esquire, of Wilmington, State of Delaware, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Louis C. Cosdon, It is ordered that Abraham J. Walcoff, Esquire, of Atlanta, State of Georgia, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. John C. Masson, It is ordered that David Wright, Jr., Esquire, of Baltimore, State of Maryland, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Roy C. Frank, It is ordered that William D. Gunn, Esquire, of Minneapolis, State of Minnesota, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Leonard H. Marks, It is ordered that Harry Pollock, Esquire, of Pittsburgh, Commonwealth of Pennsylvania, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Arnold Raum, It is ordered that Leonard Marshall, Esquire, of Washington, District of Columbia, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Adrien F. Busick, It is ordered that Edward A. Goggin, Esquire, of Oakland, State of California, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

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Rosette Sorge Savergnan, Petitioner, vs. The United States of America, J. Howard McGrath, The Attorney General of the United States of America, et al.

On writ of certiorari to the United States Court of Appeals for the Seventh Circuit.

48

THIS CAUSE came on to be heard on the transcript of the record from the United States Court of Appeals for the Seventh Circuit, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is now here ordered and adjudged by this Court that the judgment of the said United States Court of Appeals, in this cause, be, and the same is hereby, affirmed; and that this cause be, and the same is hereby, remanded to the United States District Court for the Western District of Wisconsin with directions to dismiss the petition against the United States and to enter judgment in favor of the other defendants in conformity with the opinion of this Court.

Per Mr. Justice Burton.

Dissenting: Mr. Justice Frankfurter and Mr. Justice Black.

Mr. Justice Douglas took no part in the consideration or decision of this case.

The United States, Petitioner, vs. Cumberland Public Service Company, a Corporation. 214

On writ of certiorari to the Court of Claims.

THIS CAUSE came on to be heard on the transcript of the record from the Court of Claims, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is ordered and adjudged by this Court that the judgment of the said Court of Claims in this cause, be, and the same is hereby, affirmed.

Per Mr. Justice Black.

Mr. Justice Douglas took no part in the consideration or decision of this case.

The United States, Petitioner, vs. Jeff W. Moorman and James C. Moorman, Co-partners, Doing Business as J. W. Moorman & Son. 97

On writ of certiorari to the Court of Claims.

THIS CAUSE came on to be heard on the transcript of the record from the Court of Claims, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is ordered and adjudged by this Court that the judgment of the said Court of Claims in this cause, be, and the same is hereby, reversed; and that this cause, be, and the same is hereby, remanded to the said Court of Claims for proceedings in conformity with the opinion of this Court.

Per Mr. Justice Black.

Mr. Justice Douglas took no part in the consideration or decision of this case.

Federal Power Commission, Petitioner, vs. East Ohio Gas Company, et al. — On writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit.

THIS CAUSE came on to be heard on the transcript of the record from the United States Court of Appeals for the District of Columbia Circuit, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is now here ordered and adjudged by this Court that the judgment of the said United States Court of Appeals, in this cause, be, and the same is hereby, reversed; and that this cause be, and the same is hereby, remanded to the said Court of Appeals for proceedings in conformity with the opinion of this Court.

Per Mr. Justice Black.

Dissenting opinion by Mr. Justice Jackson in which Mr. Justice Frankfurter joins.

Mr. Justice Douglas and Mr. Justice Burton took no part in the consideration or decision of this case.

Reo Motors, Inc., Petitioner, vs. Commissioner of Internal Revenue. — On writ of certiorari to the United States Court of Appeals for the Sixth Circuit.

THIS CAUSE came on to be heard on the transcript of the record from the United States Court of Appeals for the Sixth Circuit, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is now here ordered and adjudged by this Court that the judgment of the said United States Court of Appeals, in this cause, be, and the same is hereby, affirmed; and that this cause be, and the same is hereby, remanded to the said Court of Appeals.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this case.

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The Chief Justice announced the following order of the Court:

Jesse Miller Sinclair, Petitioner, vs. The United States of America. 69

On writ of certiorari to the United States Court of Appeals for the Third Circuit.

THIS CAUSE came on to be heard on the transcript of the record from the United States Court of Appeals for the Third Circuit, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is now here ordered and adjudged by this Court that the judgment of the said United States Court of Appeals, in this cause, be, and the same is hereby, reversed; and that this cause be, and the same is hereby, remanded to the United States District Court for the Eastern District of Pennsylvania for proceedings in conformity with the opinion of this Court.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this case.

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The Chief Justice said:

"The other orders of the Court appear upon the list certified by the Chief Justice and filed with the Clerk and will not be announced orally."

Elmer W. Henderson, Appellant, vs. The United States of America, et al. 25

ON CONSIDERATION of the motion for leave to file brief of Anti-Defamation League of B'Nai B'Rith and American Jewish Committee as amici curiae in this case,

IT IS ORDERED by this Court that the said motion be, and it is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this motion.

Elmer W. Henderson,

Appellant,

25 vs.

The United States of America, et al.

ON CONSIDERATION of the motion of Sam Hobbs for leave to appear and present oral argument as amicus curiae in this case,

IT IS ORDERED by this Court that the said motion be, and it is hereby, granted.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this motion.

Standard Oil Company,

Petitioner,

107 vs.

Federal Trade Commission.

ON CONSIDERATION of the motions for leave to appear and present oral argument on behalf of Retail Gasoline Dealers Association, et al., and Empire State Petroleum Association, et al., as amici curiae in this case,

IT IS ORDERED by this Court that the said motions be, and they are hereby, granted.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of these cases.

District of Columbia,

Petitioner,

302 vs.

Geraldine Little, alias Mildred Parker.

ON CONSIDERATION of the motion for leave to appear and present oral argument on behalf of the National Institute of Municipal Law Officers as amicus curiae in this case,

IT IS ORDERED by this Court that the said motion be, and it is hereby, granted.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this motion.

Martin Ludwig Cohnstaedt,

Petitioner,

373 vs.

Immigration and Naturalization Service, etc.

This case is ordered transferred to the summary docket.

Per Mr. Chief Justice Vinson.

The United States of America,

Appellant,

490 vs.

Cotton Valley Operators Committee, et al.

The statement of jurisdiction in this case having been submitted and considered by the Court, probable jurisdiction is noted.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas and Mr. Justice Clark took no part in the consideration or decision of this question.

National Labor Relations Board, Order allowing certiorari.

Petitioner,

434 vs.

Mexia Textile Mills, Inc.

The petition herein for a writ of certiorari to the United States Court of Appeals for the Fifth Circuit is granted. The case is transferred to the summary docket.

And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

National Labor Relations Board, Order allowing certiorari.

Petitioner,

435 vs.

Pool Manufacturing Company.

The petition herein for a writ of certiorari to the United States Court of Appeals for the Fifth Circuit is granted. The case is transferred to the summary docket.

And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Brown Shoe Company, Inc., Order allowing certiorari.

Petitioner,

445 vs.

Commissioner of Internal Revenue.

The petition herein for a writ of certiorari to the United States Court of Appeals for the Eighth Circuit is granted.

And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Keyes C. Gaynor, On petition for writ of certiorari

Petitioner, to the United States Court of

376 vs. Appeals for the Eighth Circuit.

Metals Reserve Company, a Corporation.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Eighth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

William T. Burton,
Petitioner,
416 vs.
The United States of America.

On petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Fifth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Joe T. Cawthorn,
Petitioner,
417 vs.
The United States of America.

On petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Fifth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Marcel F. LaBranche,
Petitioner,
418 vs.
The United States of America.

On petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Fifth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

National Labor Relations Board, Petitioner, vs. Atlanta Metallic Casket Company. — On petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit.

431

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Fifth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

National Labor Relations Board, Petitioner, vs. Wilson and Co., Inc. — On petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit.

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ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Fifth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

National Labor Relations Board, Petitioner, vs. Massey Gin and Machine Works, Inc. — On petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit.

433

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Fifth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Morris Eisenberg,
Petitioner,
450 vs.
Commissioner of Internal Revenue.

On petition for writ of certiorari to the United States Court of Appeals for the Third Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Third Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Herman Schaeffer,
Petitioner,
451 vs.
Commissioner of Internal Revenue.

On petition for writ of certiorari to the United States Court of Appeals for the Third Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Third Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Jeremiah McCarthy,
Petitioner,
452 vs.
American Eastern Corporation.

On petition for writ of certiorari to the United States Court of Appeals for the Third Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Third Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Chester Walker Colgrove and Colusa Remedy Company,

Petitioners,

457 vs.

The United States of America.

On petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Ninth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Colusa Remedy Company, Intervenor,

Petitioner,

458 vs.

The United States of America.

On petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Eighth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Margaret I. Riley,

Petitioner,

459 vs.

Union Pacific Railroad Company.

On petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Seventh Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

The Apex Smelting Company, Petitioner,
461 vs.
William S. Burns, et al.

On petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Seventh Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Simpson Bros., Inc., Petitioner,
462 vs.
District of Columbia.

On petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the District of Columbia Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Bernard Newyahr, Petitioner,
465 vs.
The United States of America.

On petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the District of Columbia Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

William Turpin, Jr., Petitioner,

469 vs.

State of Wisconsin.

On petition for writ of certiorari to the Supreme Court of the State of Wisconsin.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of Wisconsin, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Walter N. Smith, et al., Petitioners,

474 vs.

Hon. William O'Dwyer, Mayor of the City of New York, et al.

On petition for writ of certiorari to the Court of Appeals of the State of New York.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Court of Appeals of the State of New York, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Granat Bros. (A Corporation) and Joseph Granat, Petitioners,

493 vs.

Ralph D. Gomez, et al., as individuals and co-partners doing business under the name of Gomez Manufacturing Company.

On petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Ninth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

State of Maryland, Petitioner,
300 vs.
The Baltimore Radio Show, Inc., a body corporate, WFBR, et al.

On petition for writ of certiorari to the Court of Appeals of the State of Maryland.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Court of Appeals of the State of Maryland, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Frankfurter filed an opinion respecting the denial of the petition for writ of certiorari.

Mr. Justice Douglas took no part in the consideration or decision of this application.

J. D. Pedigo, et al., Petitioners,
393 vs.
Celanese Corporation of America.

On petition for writ of certiorari to the Supreme Court of the State of Georgia.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of Georgia, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Mr. Justice Black thinks petitioners were denied due process of law and that the petition should be granted.

A. C. Carroll, et al., Petitioners,
394 vs.
Celanese Corporation of America.

On petition for writ of certiorari to the Supreme Court of the State of Georgia.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of Georgia, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Black thinks petitioners were denied due process of law and that the petition should be granted.

Mr. Justice Douglas took no part in the consideration or decision of this application.

S. T. Alred, et al., Petitioners,
395 vs.
Celanese Corporation of America.

On petition for writ of certiorari to the Supreme Court of the State of Georgia.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of Georgia, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Black thinks petitioners were denied due process of law and that the petition should be granted.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Lowell E. Womack, Petitioner,
396 vs.
Celanese Corporation of America.

On petition for writ of certiorari to the Supreme Court of the State of Georgia.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of Georgia, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Black thinks petitioner was denied due process of law and that the petition should be granted.

Mr. Justice Douglas took no part in the consideration or decision of this application.

S. T. Alred, et al., Petitioners,
397 vs.
Celanese Corporation of America.

On petition for writ of certiorari to the Supreme Court of the State of Georgia.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of Georgia, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Black thinks petitioners were denied due process of law and that the petition should be granted.

Mr. Justice Douglas took no part in the consideration or decision of this application.

J. D. Pedigo, et al., Petitioners,

398 vs.

Celanese Corporation of America.

On petition for writ of certiorari to the Supreme Court of the State of Georgia.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of Georgia, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Black thinks petitioners were denied due process of law and that the petition should be granted.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Lowell E. Womack, Petitioner,

399 vs.

Celanese Corporation of America.

On petition for writ of certiorari to the Supreme Court of the State of Georgia.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of Georgia, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Black thinks petitioner was denied due process of law and that the petition should be granted.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Paul Ginsburg, Petitioner,

1210 O. T. '45 vs.

Charles H. Sachs, et al.

A second petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Lawrence C. Kingsland, Commissioner of Patents,

Petitioner,

53 vs.

Vernon M. Dorsey.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Corporation of the Presiding Bishop of the Church of Jesus Christ of Latter-Day Saints, a Utah Corporation,

Appellant,

245 vs.

City of Porterville, et al.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

American Eastern Corporation,

Petitioner,

315 vs.

Jeremiah McCarthy.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Morris Klein,

Petitioner,

329 vs.

The United States of America; and

Harry Burke,

Petitioner,

330 vs.

The United States of America.

A petition for rehearing having been filed in these cases,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

The United States of America,

Appellant,

334 vs.

Shoreline Co-operative Apartments, Inc., et al.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Elepthoris Kofouros, et al.,

Petitioners,

365 vs.

Theodor Giannoutsos, et al.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Nicholas Korthinos, et al.,

Petitioners,

388 vs.

S. S. Miarchos, as Owner, etc., and

Petros Maleuris, et al.,

Petitioners,

389 vs.

Anthony G. Papadakis, as Owner, etc.

A petition for rehearing having been filed in these cases,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Friedrich Flick,

Petitioner,

317 vs.

Louis A. Johnson, Secretary of Defense, et al.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Jackson and Mr. Justice Douglas took no part in the consideration or decision of this application.

Louis H. Rosenblum,

Petitioner,

368 vs.

The United States of America;

Max Stryk,

Petitioner,

369 vs.

The United States of America; and

Jacob Weiss,

Petitioner,

370 vs.

The United States of America.

A petition for rehearing having been filed in these cases,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas and Mr. Justice Minton took no part in the consideration or decision of this application.

Fifth and Walnut, Inc., et al.,

Petitioners,

400 vs.

Loew's Incorporated, et al.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas and Mr. Justice Clark took no part in the consideration or decision of this application.

Edmond Arthur Rohde,

Petitioner,

42, Misc. vs.

People of the State of Illinois.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Mollie Eagle,

Petitioner,

81, Misc. vs.

Benjamin Cherney, et al.

A second petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Wallace James Cruse,

Petitioner,

215, Misc. vs.

Joseph E. Ragen, Warden.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Bruce Allen Gresham,
Petitioner,
68, Misc. vs.
State of Texas.

On petition for writ of certiorari to the Court of Criminal Appeals of the State of Texas.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Court of Criminal Appeals of the State of Texas, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

John Robert Atherton and Herman Edward Behre,
Petitioners,
159, Misc. vs.
The United States of America.

On petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Ninth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

George Calvin Edwards, et al.,
Petitioners,
160, Misc. vs.
The United States of America.

On petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Ninth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Edwin C. M. Dickey, Petitioner, vs. The United States of America. 197, Misc.

On petition for writ of certiorari to The Court of Claims.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Court of Claims and of the argument of counsel thereupon had, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Leon H. Pyeatte, Petitioner, vs. C. J. Burke, Warden. 251, Misc.

On petition for writ of certiorari to the Supreme Court of the Commonwealth of Pennsylvania.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the Commonwealth of Pennsylvania, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Ernest George Bland, Petitioner, vs. State of Texas. 253, Misc.

On petition for writ of certiorari to the 46th Judicial District Court, Hardeman County, of the State of Texas.

ON CONSIDERATION of the petition for a writ of certiorari herein to the 46th Judicial District Court, Hardeman County, of the State of Texas, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

John McCann,

Petitioner,

256, Misc. vs.

New York State Board of Parole.

On petition for writ of certiorari to the New York State Board of Parole.

ON CONSIDERATION of the petition for a writ of certiorari herein to the New York State Board of Parole, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Edwin Hilt,

Petitioner,

258, Misc. vs.

State of New York.

On petition for writ of certiorari to the Court of Appeals of the State of New York.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Court of Appeals of the State of New York, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Robert Farmer,

Petitioner,

259, Misc. vs.

Joseph E. Ragen, Warden.

On petition for writ of certiorari to the Criminal Court of Cook County, of the State of Illinois.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Criminal Court of Cook County, of the State of Illinois, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Wallace Phillips,

Petitioner,

260, Misc. vs.

Joseph E. Ragen, Warden.

On petition for writ of certiorari to the Circuit Court of Edgar County, of the State of Illinois.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Circuit Court of Edgar County, of the State of Illinois, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

W. H. Nicholas,

Petitioner,

268, Misc. vs.

John R. Cranor, Superintendent.

On petition for writ of certiorari to the Supreme Court of the State of Washington.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of Washington, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Henry Schectman,

Petitioner,

254, Misc. vs.

John P. Foster, Warden.

ON CONSIDERATION of the motion for leave to file a petition for writ of certiorari in this case,

IT IS ORDERED by this Court that the said motion be, and it is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this motion.

Jack O'Lee Young,

Petitioner,

257, Misc. vs.

Browning Robinson, Warden.

ON CONSIDERATION of the motion for leave to file a petition for writ of habeas corpus herein,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Sylvester Brown,

Petitioner,

273, Misc. vs.

State of Minnesota.

ON CONSIDERATION of the motion for leave to file a petition for writ of habeas corpus herein,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

William D. Bridge,

Petitioner,

274, Misc. vs.

Dr. J. Leroy Wright, Warden.

ON CONSIDERATION of the motion for leave to file a petition for writ of habeas corpus herein,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Frank Hynes, Regional Director, etc.,

Petitioner,

262, Misc. vs.

The Hon. Harry E. Pratt, Judge, etc.

ON CONSIDERATION of the motion for leave to file a petition for writ of mandamus herein,

IT IS ORDERED by this Court that the said motion be, and it is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

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Mr. Justice Douglas took no part in the consideration or decision of the cases in which judgments or orders are this day announced.

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The Court will take a recess from Monday, January 16, until Monday, February 6, next.

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Oscar L. Chapman, Department of Interior,

Petitioner,

60 vs.

Sheridan-Wyoming Coal Company, Inc.

Argued by Mr. Roger P. Marquis for the petitioner and by Mr. T. Peter Ansberry for the respondent.

Standard Oil Company,

Petitioner,

107 vs.

Federal Trade Commission.

Argument commenced by Mr. Howard Ellis for the petitioner and continued by Mr. William Simon for Empire State Petroleum Association, Inc., et al., as amici curiae, by special leave of Court.

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Proclamation being made the Court is adjourned until tomorrow at 12 o'clock.

TUESDAY, JANUARY 10, 1950.

Pursuant to adjournment the Court met at the Supreme Court Building.

PRESENT:

The Honorable Fred M. Vinson, Chief Justice,
Hugo L. Black,
Stanley Reed,
Felix Frankfurter,
Robert H. Jackson,
Harold H. Burton,
Tom C. Clark,
Sherman Minton. Associate Justices.

Thomas Ennalls Waggaman, Esquire, Marshal,

Charles Elmore Cropley, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Robert L. Stern, It is ordered that William L. Weiss, Esquire, of Saint Louis, State of Missouri, and Irwin N. Wilpon, Esquire, of Brooklyn, State of New York, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Harry C. Ames, It is ordered that Giles Morrow, Esquire, of Washington, District of Columbia, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Edwin L. Mahn, It is ordered that Roger Paul Peters, Esquire, of Notre Dame, State of Indiana, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

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Standard Oil Company,

Petitioner,

107 vs.

Federal Trade Commission.

Argument continued by Mr. James W. Cassedy for the respondent; by Mr. Cyrus Austin for Retail Gasoline Dealers Association of Michigan, Inc., et al., as amici curiae, by special leave of Court, and concluded by Mr. Howard Ellis for petitioner.

The United States of America and Interstate Commerce Commission,

Appellants,

113 vs.

Pacific Coast Wholesalers' Association, et al.; and

Freight Forwarders Institute,

Appellant,

114 vs.

Pacific Coast Wholesalers' Association, et al.

Argued by Mr. J. Roger Wollenberg for appellants in No. 113 and by Mr. Harry C. Ames for appellant in No. 114. The Court declined to hear further argument.

The United States,

Petitioner,

156 vs.

Commodities Trading Corporation, et al.; and

Commodities Trading Corporation, et al.,

Petitioners,

163 vs.

The United States.

Argument commenced by Mr. Edward L. Blackman for the Commodities

Trading Corporation, et al., and continued by Mr. Oscar H. Davis for the United States.

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Proclamation being made the Court is adjourned until tomorrow at 12 o'clock.

Pursuant to adjournment the Court met at the Supreme Court Building.

PRESENT:

The Honorable Fred M. Vinson, Chief Justice,
Hugo L. Black,
Stanley Reed,
Felix Frankfurter,
Robert H. Jackson,
Harold H. Burton,
Tom C. Clark,
Sherman Minton.
Associate Justices.

Thomas Ennalls Waggaman, Esquire, Marshal,

Charles Elmore Cropley, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Wayne Lyman Morse, It is ordered that Herman Lazarus, Esquire, of Bethesda, State of Maryland, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Solicitor General Philip B. Perlman, It is ordered that Carl M. Gould, Esquire, of Los Angeles, State of California, and Frank C. Lyons, Esquire, of Cleveland, State of Ohio, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Bert. E. Johnson, It is ordered that Hercules V. Galie, Esquire, of Alexandria, Commonwealth of Virginia, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Charles Sylvanus Rhyne, It is ordered that Arthur J. Goldsmith, Esquire, of New York, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Olin D. Johnston, It is ordered that Jerold B. Sindler, Esquire, of Bishopville, State of South Carolina, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. George Morris Fay, It is ordered that James J. Waters, Esquire, of Kansas City, State of Missouri, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

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The United States,

Petitioner,

156 vs.

Commodities Trading Corporation, et al.;
and

Commodities Trading Corporation, et al.,

Petitioners,

163 vs.

The United States.

Argument continued by Mr. Oscar H. Davis for the United States and concluded by Mr. Edward L. Blackman for the Commodities Trading Corporation, et al.

The United States of America,

Petitioner,

293 vs.

Albert J. Rabinowitz.

Argued by Mr. Solicitor General Perlman for the petitioner and by Mr. Abraham Lillienthal for the respondent.

District of Columbia,

Petitioner,

302 vs.

Geraldine Little, alias Mildred Parker.

Argument commenced by Mr. Chester H. Gray for the petitioner.

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Proclamation being made the Court is adjourned until tomorrow at 12 o'clock.

THURSDAY, JANUARY 12, 1950.

Pursuant to adjournment the Court met at the Supreme Court Building.

PRESENT:

The Honorable Fred M. Vinson, Chief Justice,
Hugo L. Black,
Stanley Reed,
Felix Frankfurter,
Robert H. Jackson,
Harold H. Burton,
Tom C. Clark,
Sherman Minton. Associate Justices.

Thomas Ennalls Waggaman, Esquire, Marshal,
Charles Elmore Cropley, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. John E. Lyle, Jr., It is ordered that Homer Thornberry, Esquire, of Austin, State of Texas, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Philip F. Dodson, It is ordered that Dailey S. Stafford, Esquire, of Los Angeles, State of California, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. William Caverly, It is ordered that Leo A. Diamond, Esquire, of New York, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

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District of Columbia,

Petitioner,

302 vs.

Geraldine Little, alias Mildred Parker.

Argument continued by Mr. Chester H. Gray for the petitioner; by

Miss Anne X. Alpern for the National Institute of Municipal Law Officers, as amicus curiae, by special leave of Court; and concluded by Mr. Jeff Busby for the respondent.

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Proclamation being made the Court is adjourned until Monday, January 16, next.

MONDAY, JANUARY 16, 1950.

Pursuant to adjournment the Court met at the Supreme Court Building.

PRESENT:

The Honorable Fred M. Vinson, Chief Justice,
Hugo L. Black,
Stanley Reed,
Felix Frankfurter,
Robert H. Jackson,
Harold H. Burton,
Tom C. Clark,
Sherman Minton,
Associate Justices.
Thomas Ennalls Waggaman, Esquire, Marshal,
Charles Elmore Cropley, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Edgar A. Jonas, It is ordered that Louis P. Miller, Esquire, of Chicago, State of Illinois, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Darrell T. Lane, It is ordered that James E. Hale, Esquire, of Columbus, State of Ohio, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Solicitor General Philip B. Perlman, It is ordered that John I. Pierce, Esquire, of Richmond, State of California, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Brendan F. Brown, It is ordered that Albert B. Monaco, Esquire, of Pittsburgh, Commonwealth of Pennsylvania, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Abner E. Lipscomb, It is ordered that Pentress Bracewell, Esquire, of Houston, State of Texas, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Joseph P. Tumulty, Jr., It is ordered that Francis X. Ward, Esquire, of Indianapolis, State of Indiana, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Robert Newton Reid, It is ordered that Paul Cooper Akin, Esquire, of Los Angeles, State of California, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Charles Sylvanus Rhyne, It is ordered that William E. Torkelson, Esquire, of Madison, State of Wisconsin, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Robert M. Vaughan, It is ordered that Wayt B. Timberlake, Jr., Esquire, of Staunton, Commonwealth of Virginia, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Julius Schlezinger, It is ordered that Israel Packel, Esquire, of Philadelphia, Commonwealth of Pennsylvania, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. John T. Suggs, It is ordered that S. Lytton Wright, Esquire, of Dallas, State of Texas, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Isidore H. Wachtel, It is ordered that Moses M. Falk, Esquire, of New York, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

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The United States of America, ex rel. Ellen Knauff,

Petitioner,

54 vs.

Edward J. Shaughnessy, Acting District Director of Immigration and Naturalization Service.

On writ of certiorari to the United States Court of Appeals for the Second Circuit.

THIS CAUSE came on to be heard on the transcript of the record from the United States Court of Appeals for the Second Circuit, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is now here ordered and adjudged by this Court that the judgment of the said United States Court of Appeals, in this cause, be, and the same is hereby, affirmed; and that this cause be, and the same is hereby, remanded to the United States District Court for the Southern District of New York.

Per Mr. Justice Minton.

Dissenting opinion by Mr. Justice Jackson in which Mr. Justice Black and Mr. Justice Frankfurter join.

Dissenting opinion by Mr. Justice Frankfurter.

Mr. Justice Douglas and Mr. Justice Clark took no part in the consideration or decision of this case.

J. Baker Bryan, Sr.,

Petitioner,

178 vs.

The United States of America.

On writ of certiorari to the United States Court of Appeals for the Fifth Circuit.

THIS CAUSE came on to be heard on the transcript of the record from the United States Court of Appeals for the Fifth Circuit, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is now here ordered and adjudged by this Court that the judgment of the said United States Court of Appeals, in this cause, be, and the same is hereby, affirmed; and that this cause be, and the same is hereby, remanded to the United States District Court for the Southern District of Florida.

Per Mr. Justice Minton.

Mr. Justice Black and Mr. Justice Reed would affirm with a modification of the judgment to remand to the District Court to decide whether a judgment of acquittal should be entered or a new trial ordered.

Mr. Justice Douglas took no part in the consideration or decision of this case.

The United States of America, ex rel. Richard Eichenlaub,

Petitioner,

vs.

Edward J. Shaughnessy, Acting District Director of Immigration and Naturalization of the United States for the District of New York, etc.

On writ of certiorari to the United States Court of Appeals for the Second Circuit.

THIS CAUSE came on to be heard on the transcript of the record from the United States Court of Appeals for the Second Circuit, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is now here ordered and adjudged by this Court that the judgment of the said United States Court of Appeals, in this cause, be, and the same is hereby, affirmed; and that this cause be, and the same is hereby, remanded to the United States District Court for the Southern District of New York.

Per Mr. Justice Burton.

Dissenting opinion by Mr. Justice Frankfurter in which Mr. Justice Black and Mr. Justice Jackson join.

Mr. Justice Douglas and Mr. Justice Clark took no part in the consideration or decision of this case.

The United States of America, ex rel. Otto A. Willumeit,

Petitioner,

82 vs.

Edward J. Shaughnessy, Acting District Director of Immigration and Naturalization Service.

On writ of certiorari to the United States Court of Appeals for the Second Circuit.

THIS CAUSE came on to be heard on the transcript of the record from the United States Court of Appeals for the Second Circuit, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is now here ordered and adjudged by this Court that the judgment of the said United States Court of Appeals, in this cause, be, and the same is hereby, affirmed; and that this cause be, and the same is hereby, remanded to the United States District Court for the Southern District of New York.

Per Mr. Justice Burton.

Dissenting opinion by Mr. Justice Frankfurter in which Mr. Justice Black and Mr. Justice Jackson join.

Mr. Justice Douglas and Mr. Justice Clark took no part in the consideration or decision of this case.

Albert G. Dickinson,

Petitioner,

150 vs.

Petroleum Conversion Corporation.

On writ of certiorari to the United States Court of Appeals for the Second Circuit.

THIS CAUSE came on to be heard on the transcript of the record from the United States Court of Appeals for the Second Circuit, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is ordered and adjudged by this Court that the order of the said Court of Appeals in this cause denying a motion to dismiss the appeal of Petroleum Conversion Corporation, be, and it is hereby, reversed with costs.

IT IS FURTHER ORDERED that this cause be, and it is hereby, remanded to the said Court of Appeals for proceedings in conformity with the opinion of this Court.

Per Mr. Justice Jackson.

Dissenting opinion by Mr. Justice Black.

Mr. Justice Douglas took no part in the consideration or decision of this case.

The Chief Justice announced the following orders of the Court:

Betty Stoddard Horn, et al., etc., Appellants, vs. City of Chicago. — Appeal from the Supreme Court of the State of Illinois.

472

THIS CAUSE came on to be heard on the transcript of the record from the Supreme Court of the State of Illinois, and on motion to dismiss or affirm, which was duly submitted.

ON CONSIDERATION WHEREOF, It is now here ordered by this Court that the motion to dismiss the appeal herein be, and the same is hereby, granted.

IT IS FURTHER ORDERED that the appeal herein be, and the same is hereby, dismissed for the want of jurisdiction.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this case.

Betty Stoddard Horn, et al., etc., Appellants, vs. City of Chicago. — Appeal from the Supreme Court of the State of Illinois.

472

TREATING the appeal papers herein from the Supreme Court of the State of Illinois as an application for a writ of certiorari;

ON CONSIDERATION WHEREOF, It is ordered by this Court that the said application for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this order.

Emory C. Burke,

Petitioner,

176, Misc. vs.

State of Georgia.

On petition for writ of certiorari to the Supreme Court of the State of Georgia.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of Georgia, It is ordered by this Court that the said petition be, and the same is hereby, denied, without prejudice to petitioner to seek in the appropriate United States District Court in Georgia whatever relief, if any, may be required by Mooney v. Holohan, 294 U. S. 103.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

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The Chief Justice said:

"The other orders of the Court appear upon the list certified by the Chief Justice and filed with the Clerk and will not be announced orally."

The United States of America,

Plaintiff,

13, Original vs.

State of Texas.

ON CONSIDERATION of the motion for leave to file defendant's first amended answer in this case,

IT IS ORDERED by this Court that the said motion be, and it is hereby, granted.

This case and No. 12, Original, The United States of America, plaintiff v. State of Louisiana, are reassigned for argument on Monday, March 13, next.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas, Mr. Justice Jackson, and Mr. Justice Clark took no part in the consideration or decision of this application.

Plankinton Packing Company,

Petitioner,

419 vs.

Wisconsin Employment Relations Board, et al.

ON CONSIDERATION of the motion of the Solicitor General of the United States on behalf of the National Labor Relations Board for leave to appear and present oral argument as amicus curiae in this case,

IT IS ORDERED by this Court that the said motion be, and it is hereby, granted.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this motion.

Colonial Airlines, Inc.,

Appellant,

539 vs.

Russell B. Adams, Joseph J. O'Connell, Jr., et al.

The statement of jurisdiction in this case having been submitted and considered by the Court, further consideration of the question of the jurisdiction of this Court is postponed to the hearing of the case on the merits.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this question.

Automatic Radio Manufacturing Company, Inc.,

Petitioner,

455 vs.

Hazeltine Research, Inc.

Order allowing certiorari.

The petition herein for a writ of certiorari to the United States Court of Appeals for the First Circuit is granted.

And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

International Brotherhood of Teamsters, Chauffeurs, Warehousemen and Helpers of America, Local Union No. 390, American Federation of Labor, et al.,

Petitioners,

426 vs.

J. Tom Watson, Attorney General of the State of Florida, and Maule Industries, Inc.

On petition for writ of certiorari to the Supreme Court of the State of Florida.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of Florida, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

S. H. Stevens, et al., co-partners doing business under the firm name and style of Sleet Shaver Mfg. Co.,

Petitioners,

466 vs.

Federal Cartridge Corporation, a corporation doing business as Twin Cities Ordnance Plant.

On petition for writ of certiorari to the Supreme Court of the State of Minnesota.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of Minnesota, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Curtis Courant,

Petitioner,

471 vs.

International Photographers of the Motion Picture Industry, Local 659, etc., et al.

On petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Ninth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Combined Metals Reduction Company,

Petitioner,

477 vs.

Nevada Half Moon Mining Company.

On petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Tenth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

The United States of America,

Plaintiff,

12, Original vs.

State of Louisiana; and

The United States of America,

Plaintiff,

13, Original vs.

State of Texas.

A petition for rehearing having been filed in these cases by Agnes E. and Annie C. Lewis,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas, Mr. Justice Jackson, and Mr. Justice Clark took no part in the consideration or decision of this application.

Sarah O'Donnell, Administratrix, etc.,

Petitioner,

56 vs.

Elgin, Joliet and Eastern Railway Company.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas, Mr. Justice Frankfurter, and Mr. Justice Minton took no part in the consideration or decision of this application.

The United States of America, on relation of James W. Mobley, Relator,

Petitioner,

430 vs.

General Thomas T. Handy, Commanding Officer, Fort Sam Houston.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Land O'Lakes Dairy Company,

Appellant,

447 vs.

County of Wadena and State of Minnesota.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Dexter C. Dayton,

Petitioner,

205, Misc. vs.

Walter A. Hunter, Warden.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Samuel D. Collins, Petitioner, vs. The United States of America. — On petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit.

180, Misc.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Ninth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Jack Lester Chapman, Petitioner, vs. People of the State of California. — On petition for writ of certiorari to the District Court of Appeal, First Appellate District of the State of California.

223, Misc.

ON CONSIDERATION of the petition for a writ of certiorari herein to the District Court of Appeal, First Appellate District of the State of California, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Angelo de Luca, Petitioner, vs. Atlantic Refining Company. — On petition for writ of certiorari to the United States Court of Appeals for the Second Circuit.

224, Misc.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Second Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Earl Hardgrave, Petitioner, vs. Joseph E. Ragen, Warden. — On petition for writ of certiorari to the Criminal Court of Cook County, of the State of Illinois.

237, Misc.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Criminal Court of Cook County, of the State of Illinois, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Fred H. Putnam, Petitioner, vs. Joseph E. Ragen, Warden. — On petition for writ of certiorari to the Circuit Court of Will County of the State of Illinois.

266, Misc.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Circuit Court of Will County, of the State of Illinois, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Edward O. Saxton, Petitioner, vs. Joseph E. Ragen, Warden. — On petition for writ of certiorari to the Supreme Court of Illinois, Circuit Court of Will County, Illinois, and Circuit Court of Kane County, Illinois.

269, Misc.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of Illinois, Circuit Court of Will County, Illinois, and Circuit Court of Kane County, Illinois, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Joseph Bernovich,

Petitioner,

270, Misc. vs.

People of the State of Illinois.

On petition for writ of certiorari to the Supreme Court of the State of Illinois.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of Illinois, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Cecil Swain,

Petitioner,

272, Misc. vs.

Clinton T. Duffy, Warden.

On petition for writ of certiorari to the Supreme Court of the State of California.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of California, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Louis Berman,

Petitioner,

277, Misc. vs.

Edwin T. Swenson, Warden.

On petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Fourth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Paul Peters, Petitioner, 280, Misc. vs. Joseph E. Ragen, Warden. — On petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Seventh Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Dorsey Edmondson, Petitioner, 283, Misc. vs. Dr. Leroy Wright, Warden. — On petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Fourth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Robert DeWeese, Petitioner, 286, Misc. vs. Joseph E. Ragen, Warden. — On petition for writ of certiorari to the Supreme Court of Illinois, Circuit Court of Will County, Illinois, and Circuit Court of Rock Island County, Illinois.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of Illinois, Circuit Court of Will County, Illinois, and Circuit Court of Rock Island County, Illinois, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Robert Taylor,

Petitioner,

288, Misc. vs.

Joseph E. Ragen, Warden.

On petition for writ of certiorari to the Criminal Court of Cook County of the State of Illinois.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Criminal Court of Cook County, of the State of Illinois, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Ivan Willis,

Petitioner,

252, Misc. vs.

Joseph E. Ragen, Warden.

On petition for writ of certiorari to the Criminal Court of Cook County, of the State of Illinois.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Criminal Court of Cook County, of the State of Illinois, It is ordered by this Court that the said petition be, and the same is hereby, denied without consideration of the questions raised therein and without prejudice to the institution by petitioner of proceedings in any Illinois state court of competent jurisdiction under the Act of August 4, 1949, entitled: "An Act to provide a remedy for persons convicted and imprisoned in the penitentiary, who assert that rights guaranteed them by the Constitution of the United States or the State of Illinois, or both, have been denied or violated, in proceedings in which they were convicted."

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Willie G. Scott, Petitioner, 281, Misc. vs. Browning Robinson, Warden.

On petition for writ of certiorari to the Circuit Court of Marion County, of the State of Illinois.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Circuit Court of Marion County, of the State of Illinois, It is ordered by this Court that the said petition be, and the same is hereby, denied without consideration of the questions raised therein and without prejudice to the institution by petitioner of proceedings in any Illinois state court of competent jurisdiction under the Act of August 4, 1949, entitled: "An Act to provide a remedy for persons convicted and imprisoned in the penitentiary, who assert that rights guaranteed them by the Constitution of the United States or the State of Illinois, or both, have been denied or violated, in proceedings in which they were convicted."

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

William Walter Avelino, Petitioner, 287, Misc. vs. Robert A. Heinze, Warden.

On petition for writ of certiorari to the Supreme Court of the State of California.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of California, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

William Walter Avelino, Petitioner, 287, Misc. vs. Robert A. Heinze, Warden.

ON CONSIDERATION of the motion for leave to file a petition for writ of habeas corpus herein,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Allen Eason,

Petitioner,

271, Misc. vs.

H. E. Moore, Warden.

ON CONSIDERATION of the motion for leave to file a petition for writ of habeas corpus herein,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Leroy M. Simonson,

Petitioner,

292, Misc. vs.

C. A. Robbins, Governor of Idaho, et al.

ON CONSIDERATION of the motion for leave to file a petition for writ of mandamus herein,

IT IS ORDERED by this Court that the said motion be, and it is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Scott W. Lantz,

Petitioner,

293, Misc. vs.

T. Blake Kennedy, etc.

ON CONSIDERATION of the motion for leave to file a petition for writ of mandamus herein,

IT IS ORDERED by this Court that the said motion be, and it is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Judith Coplon,

Petitioner,

295, Misc. vs.

Honorable Albert L. Reeves, et al.

ON CONSIDERATION of the motion for leave to file a petition for writ of mandamus herein,

IT IS ORDERED by this Court that the said motion be, and it is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

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Mr. Justice Douglas took no part in the consideration or decision of the cases in which judgments or orders are this day announced.

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Proclamation being made the Court is adjourned until Monday, February 6, next, at 12 o'clock.

Pursuant to adjournment the Court met at the Supreme Court Building.

PRESENT:

The Honorable Fred M. Vinson, Chief Justice,
Hugo L. Black,
Stanley Reed,
Felix Frankfurter,
Robert H. Jackson,
Harold H. Burton,
Tom C. Clark,
Sherman Minton.
Associate Justices.

Thomas Ennalls Waggaman, Esquire, Marshal,

Charles Elmore Cropley, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Solicitor General Philip B. Perlman, It is ordered that Donald Edward Van Koughnet, Esquire, of Washington, District of Columbia, and Oliver Ainsworth Seaver, Esquire, of Atlanta, State of Georgia, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Guy Cordon, It is ordered that Don Eva, Esquire, of Portland, State of Oregon, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Jos. R. Bryson, It is ordered that Robt. H. Hare, Esquire, of Saluda, State of South Carolina, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Noble J. Johnson, It is ordered that Ernest M. Causey, Esquire, of Terre Haute, State of Indiana, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Jas. C. Davis, It is ordered that John Wilson Ellis, Esquire, of Atlanta, State of Georgia, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Eberhard P. Deutsch, It is ordered that Malcolm W. Monroe, Esquire, of New Orleans, State of Louisiana, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Frederick Bernays Wiener, It is ordered that Robert Marr, Esquire, of Atlanta, State of Georgia, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Russel M. Low, It is ordered that Hans G. Hoffmeister, Esquire, of San Jose, State of California, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Noble J. Johnson, It is ordered that Robert J. McPeak, Esquire, of Terre Haute, State of Indiana, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Herbert H. Porter, It is ordered that Elizabeth Ridnour Haak, of New Orleans, State of Louisiana, and M. Truman Woodward, Jr., Esquire, of New Orleans, State of Louisiana, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly. (Mrs.)

On motion first made to the Court in this behalf by Mr. James P. Burns, It is ordered that Wayne L. Benedict, Esquire, of Washington, District of Columbia, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Gerald H. Moyo, It is ordered that John J. Dillon, Esquire, of Chicago, State of Illinois, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Bryan L. Makestraw, It is ordered that Merton E. Munson, Esquire, of Lawton, State of Oklahoma, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Hugh T. Fullerton, It is ordered that Noel Dyer, Esquire, of San Francisco, State of California, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. David W. Louisell, It is ordered that Steve Anderson, Esquire, of Salem, State of Oregon, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Robert Stuart Erdahl, It is ordered that Chas. A. Haskell, Esquire, of Denver, State of Colorado, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Albert A. Carretta, It is ordered that Arthur Cohen Matims, Esquire, of Washington, District of Columbia, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. George MacClain, It is ordered that George Hornecker, Esquire, of Kansas City, State of Missouri, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

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The United States of America, Petitioner, vs. Alexander Lawrence Alpers. 217

On writ of certiorari to the United States Court of Appeals for the Ninth Circuit.

THIS CAUSE came on to be heard on the transcript of the record from the United States Court of Appeals for the Ninth Circuit, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is now here ordered and adjudged by this Court that the judgment of the said United States Court of Appeals, in this cause, be, and the same is hereby, reversed and the judgment of the District Court is affirmed; and that this cause be, and the same is hereby, remanded to the United States District Court for the Northern District of California.

Per Mr. Justice Minton.

Dissenting opinion by Mr. Justice Black in which Mr. Justice Frankfurter and Mr. Justice Jackson concur.

Mr. Justice Douglas took no part in the consideration or decision of this case.

Louise M. Wissner and Leandous H. Wissner, Appellants, vs. Margaret Wissner. 119

Appeal from the District Court of Appeal of the State of California, Third Appellate District.

THIS CAUSE came on to be heard on the transcript of the record from the District Court of Appeal of the State of California, Third Appellate District, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is now here ordered and adjudged by this Court that the judgment of the said District Court of Appeal, in this cause, be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the said District Court of Appeal for proceedings not inconsistent with the opinion of this Court.

Per Mr. Justice Clark.

Dissenting opinion by Mr. Justice Minton in which Mr. Justice Frankfurter and Mr. Justice Jackson join.

Mr. Justice Douglas took no part in the consideration or decision of this case.

New Jersey Realty Title Insurance Company,

Appellant,

147 vs.

Division of Tax Appeals in the Department of Taxation and Finance of the State of New Jersey and the City of Newark.

Appeal from the Supreme Court of the State of New Jersey.

THIS CAUSE came on to be heard on the transcript of the record from the Supreme Court of the State of New Jersey, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court, in this cause, be, and the same is hereby, reversed with costs; and that this cause, be, and the same is hereby, remanded to the said Supreme Court for proceedings not inconsistent with the opinion of this Court.

Per Mr. Justice Clark.

Dissenting opinion by Mr. Justice Black.

Mr. Justice Douglas took no part in the consideration or decision of this case.

Oscar L. Chapman, Department of Interior,

Petitioner,

60 vs.

Sheridan-Wyoming Coal Company, Inc.

On writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit.

THIS CAUSE came on to be heard on the transcript of the record from the United States Court of Appeals for the District of Columbia Circuit, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is now here ordered and adjudged by this Court that the judgment of the said United States Court of Appeals, in this cause, be, and the same is hereby, reversed; and that this cause be, and the same is hereby, remanded to the United States District Court for the District of Columbia for proceedings in conformity with the opinion of this Court.

Per Mr. Justice Jackson.

Mr. Justice Douglas took no part in the consideration or decision of this case.

The United States of America, Petitioner, vs. Morton Salt Company. On writ of certiorari to the United States Court of Appeals for the Seventh Circuit.

273

THIS CAUSE came on to be heard on the transcript of the record from the United States Court of Appeals for the Seventh Circuit, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is now here ordered and adjudged by this Court that the judgment of the said United States Court of Appeals, in this cause, be, and the same is hereby, reversed; and that this cause be, and the same is hereby, remanded to the United States District Court for the Northern District of Illinois for further proceedings in conformity with the opinion of this Court.

Per Mr. Justice Jackson.

Mr. Justice Douglas and Mr. Justice Minton took no part in the consideration or decision of this case.

The United States of America, Petitioner, vs. International Salt Company. On writ of certiorari to the United States Court of Appeals for the Seventh Circuit.

274

THIS CAUSE came on to be heard on the transcript of the record from the United States Court of Appeals for the Seventh Circuit, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is now here ordered and adjudged by this Court that the judgment of the said United States Court of Appeals, in this cause, be, and the same is hereby, reversed; and that this cause be, and the same is hereby, remanded to the United States District Court for the Northern District of Illinois for further proceedings in conformity with the opinion of this Court.

Per Mr. Justice Jackson.

Mr. Justice Douglas and Mr. Justice Minton took no part in the consideration or decision of this case.

Secretary of Agriculture,

Petitioner,

27 vs.

Central Roig Refining Company, Western Sugar Refining Company, et al.

On writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit.

THIS CAUSE came on to be heard on the transcript of the record from the United States Court of Appeals for the District of Columbia Circuit, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is ordered and adjudged by this Court that the judgment of the Court of Appeals under review on the petition of the Secretary of Agriculture be, and it is hereby, reversed; and that this cause, be, and it is hereby, remanded to the Court of Appeals for proceedings in conformity with the opinion of this Court.

Per Mr. Justice Frankfurter.

Dissenting: Mr. Justice Black.

Mr. Justice Douglas took no part in the consideration or decision of this case.

Porto Rican American Sugar Refinery, Inc.,

Petitioner,

30 vs.

Central Roig Refining Company, Western Sugar Refining Company, et al.

On writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit.

THIS CAUSE came on to be heard on the transcript of the record from the United States Court of Appeals for the District of Columbia Circuit, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is ordered and adjudged by this Court that the judgment of the Court of Appeals under review on the petition of Porto Rican American Sugar Refinery, Inc., be, and it is hereby, reversed, with costs; and that this cause, be, and it is hereby, remanded to the Court of Appeals for proceedings in conformity with the opinion of this Court.

Per Mr. Justice Frankfurter.

Dissenting: Mr. Justice Black.

Mr. Justice Douglas took no part in the consideration or decision of this case.

The Government of Puerto Rico,

Petitioner,

32 vs.

The Secretary of Agriculture, Porto Rican American Sugar Refinery, Inc., et al.

On writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit.

THIS CAUSE came on to be heard on the transcript of the record from the United States Court of Appeals for the District of Columbia Circuit, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is ordered by this Court that the writ of certiorari in this cause, be, and it is hereby, dismissed.

Per Mr. Justice Frankfurter.

Mr. Justice Douglas took no part in the consideration or decision of this case.

Regents of the University System of Georgia,

Petitioner,

83 vs.

W. E. Carroll, Clarence H. Calhoun, Mrs. Hattie J. Pickard, et al., etc.

On writ of certiorari to the Court of Appeals of the State of Georgia.

THIS CAUSE came on to be heard on the transcript of the record from the Court of Appeals of the State of Georgia, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is ordered and adjudged by this Court that the judgment of the said Court of Appeals, in this cause, be, and the same is hereby, affirmed with costs.

Per Mr. Justice Reed.

Mr. Justice Black and Mr. Justice Douglas took no part in the consideration or decision of this case.

Civil Aeronautics Board, Petitioner, vs. State Airlines, Inc. — On writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit.

157

THIS CAUSE came on to be heard on the transcript of the record from the United States Court of Appeals for the District of Columbia Circuit, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is ordered and adjudged by this Court that the judgment of the Court of Appeals under review on the petition of the Civil Aeronautics Board, be, and it is hereby, reversed; and that this cause, be, and it is hereby, remanded to the Court of Appeals for proceedings in conformity with the opinion of this Court.

Per Mr. Justice Black.

Dissenting opinion by Mr. Justice Reed in which Mr. Justice Frankfurter joins.

Mr. Justice Douglas took no part in the consideration or decision of this case.

State Airlines, Inc., Petitioner, vs. Civil Aeronautics Board and Piedmont Aviation, Inc. — On writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit.

158

THIS CAUSE came on to be heard on the transcript of the record from the United States Court of Appeals for the District of Columbia Circuit, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is ordered by this Court that the writ of certiorari in this cause, be, and it is hereby, dismissed.

Per Mr. Justice Black.

Dissenting opinion by Mr. Justice Reed in which Mr. Justice Frankfurter joins.

Mr. Justice Douglas took no part in the consideration or decision of this case.

Piedmont Aviation, Inc., Petitioner, vs. State Airlines, Inc. — On writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit.

159

THIS CAUSE came on to be heard on the transcript of the record from the United States Court of Appeals for the District of Columbia Circuit, and was argued by counsel.

ON CONSIDERATION WHEREOF, it is ordered and adjudged by this Court that the judgment of the Court of Appeals under review on the petition of Piedmont Aviation, Inc., be, and it is hereby, reversed with costs; and that this cause, be, and it is hereby, remanded to the Court of Appeals for proceedings in conformity with the opinion of this Court.

Per Mr. Justice Black.

Dissenting opinion by Mr. Justice Reed in which Mr. Justice Frankfurter joins.

Mr. Justice Douglas took no part in the consideration or decision of this case.

John E. Manning, as Collector of Internal Revenue for the Fifth District of New Jersey, Petitioner, vs. Seeley Tube & Box Company, a Corporation of the State of New Jersey. — On writ of certiorari to the United States Court of Appeals for the Third Circuit.

70

THIS CAUSE came on to be heard on the transcript of the record from the United States Court of Appeals for the Third Circuit, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is now here ordered and adjudged by this Court that the judgment of the said United States Court of Appeals, in this cause, be, and the same is hereby, reversed with costs and the judgment of the District Court is affirmed; and that this cause be, and the same is hereby, remanded to the United States District Court for the District of New Jersey.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this case.

The United States of America and Interstate Commerce Commission,

Appellants,

113 vs.

Pacific Coast Wholesalers' Association, Elmer J. Jensen, Percy T. Lyon, et al.

Appeal from the United States District Court for the Southern District of California.

THIS CAUSE came on to be heard on the transcript of the record from the United States District Court for the Southern District of California, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is now here ordered, adjudged, and decreed by this Court that the decree of the said District Court appealed from by the United States of America and Interstate Commerce Commission, be, and it is hereby, affirmed.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this case.

Freight Forwarders Institute,

Appellant,

114 vs.

Pacific Coast Wholesalers' Association, Elmer J. Jensen, Percy T. Lyon, et al.

Appeal from the United States District Court for the Southern District of California.

THIS CAUSE came on to be heard on the transcript of the record from the United States District Court for the Southern District of California, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is now here ordered, adjudged, and decreed by this Court that the decree of the said District Court appealed from by Freight Forwarders Institute, be, and it is hereby, affirmed with costs.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this case.

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The Chief Justice announced the following orders of the Court:

Aubrey B. Burton, Doing Business as A. B. Burton Company,

Appellant,

497 vs.

The United States of America and Interstate Commerce Commission.

Appeal from the United States District Court for the Western District of Virginia.

THIS CAUSE came on to be heard on the transcript of the record from the United States District Court for the Western District of Virginia and on motion to affirm, which was duly submitted.

ON CONSIDERATION WHEREOF, It is now here ordered by this Court that the motion to affirm the judgment of the District Court, in this cause, be, and the same is hereby, granted.

IT IS FURTHER ORDERED AND ADJUDGED that the judgment of the District Court, in this cause, be, and the same is hereby, affirmed.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this case.

Delaware, Lackawanna and Western Railroad Company,

Appellant,

502 vs.

The Division of Tax Appeals, New Jersey State Department of Taxation, and the City of Jersey City.

Appeal from the Supreme Court of the State of New Jersey.

THIS CAUSE came on to be heard on the transcript of the record from the Supreme Court of the State of New Jersey, and on motion to dismiss or affirm, which was duly submitted.

ON CONSIDERATION WHEREOF, It is now here ordered by this Court that the motion to dismiss the appeal herein be, and the same is hereby, granted.

IT IS FURTHER ORDERED that the appeal herein be, and the same is hereby, dismissed.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this case.

The Central Railroad Company of New Jersey,

Appellant,

503 vs.

The Division of Tax Appeals, New Jersey State Department of Taxation, and the City of Jersey City.

Appeal from the Supreme Court of the State of New Jersey.

THIS CAUSE came on to be heard on the transcript of the record from the Supreme Court of the State of New Jersey, and on motion to dismiss or affirm, which was duly submitted.

ON CONSIDERATION WHEREOF, It is now here ordered by this Court that the motion to dismiss the appeal herein be, and the same is hereby, granted.

IT IS FURTHER ORDERED that the appeal herein be, and the same is hereby, dismissed.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this case.

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The Chief Justice said:

"The orders of the Court appear upon the list certified by the Chief Justice and filed with the Clerk and will not be announced orally."

Charles Quicksall,

Petitioner,

33 vs.

People of the State of Michigan.

ON CONSIDERATION of the motion of respondent for leave to file supplement to the record in this case,

IT IS ORDERED by this Court that the said motion be, and it is hereby, granted.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this motion.

Heman Marion Sweatt,

Petitioner,

44 vs.

Theophilis Shickel Painter, et al.

ON CONSIDERATION of the motion of Southern Conference Educational Fund, Inc., for leave to file brief as amicus curiae in this case,

IT IS ORDERED by this Court that the said motion be, and it is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this motion.

Order of Railway Conductors of America,

Petitioner,

438 vs.

Southern Railway Company.

ON CONSIDERATION of the motion of Railway Labor Executives' Association for leave to file a brief as amicus curiae in this case,

IT IS ORDERED by this Court that the said motion be, and it is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this motion.

Jiffy Lubricator Company, Inc., Petitioner, 460 vs. Stewart-Warner Corporation.

On petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Fourth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Fred Urbuteit, Claimant of 16 Articles of Device, More or Less, Labeled "Sinuothermic",

Petitioner,

463 vs.

The United States of America.

On petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Fifth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Wirt A. Warren,

Petitioner,

468 vs.

The United States of America.

On petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Tenth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Alvin H. Sandroff and Thomas Paper Stock Company,

Petitioners,

470 vs.

The United States of America.

On petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Sixth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Capital Transit Company, Petitioner,
475 vs.
Maude J. Underwood.

On petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the District of Columbia Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Chicago Sugar Company, Petitioner,
476 vs.
The American Sugar Refining Company.

On petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Seventh Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Consumers Petroleum Company, Petitioner,
478 vs.
Consumers Company.

On petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Seventh Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Consumers Petroleum Company,
Petitioner,
479 vs.
Consumers Company.

On petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Seventh Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Victor H. Mulling, Junior Judge of the Municipal Court of Savannah, et al.,
Petitioners,
480 vs.
J. P. Houlihan, et al.

On petition for writ of certiorari to the Supreme Court of the State of Georgia.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of Georgia, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Walter Gustav Bejeuhr,
Petitioner,
481 vs.
Edward J. Shaughnessy, District Director, United States Immigration and Naturalization Service at New York, New York.

On petition for writ of certiorari to the United States Court of Appeals for the Second Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Second Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Robertson Rock Bit Company, Inc., et al.,

Petitioners,

486 vs.

Hughes Tool Company.

On petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Fifth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Amos L. Taylor, Executor Under the Will of Jesse P. Lyman,

Petitioner,

487 vs.

The United States of America.

On petition for writ of certiorari to the Probate Court of Middlesex County, Commonwealth of Massachusetts.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Probate Court of Middlesex County, Commonwealth of Massachusetts, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Commissioner of Internal Revenue,

Petitioner,

491 vs.

Loraine T. Rickenberg, Executrix of the Estate of Edwin W. Rickenberg, Deceased.

On petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Ninth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Dawson County, Montana and Prairie County, Montana,

Petitioners,

507 vs.

Mary Hagan, E. B. Clark, Minnie R. Evans, The United States of America, et al.

On petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Ninth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Vivian Cowgill Meneos,

Petitioner,

519 vs.

Lillian Cowgill, et al.

On petition for writ of certiorari to the Supreme Court of the State of Missouri.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of Missouri, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

The Lincoln Electric Company,

Petitioner,

533 vs.

Commissioner of Internal Revenue.

On petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Sixth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Edward Halle, as Executor of the Estate of Louis Halle, Deceased,

Petitioner,

467 vs.

Commissioner of Internal Revenue.

ON CONSIDERATION of the motion to dispense with printing the exhibits in this case,

IT IS ORDERED by this Court that the said motion be, and it is hereby, granted.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this motion.

Edward Halle, as Executor of the Estate of Louis Halle, Deceased,

Petitioner,

467 vs.

Commissioner of Internal Revenue.

On petition for writ of certiorari to the United States Court of Appeals for the Second Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Second Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Margaret Arnold, et al.,

Petitioners,

484 vs.

Thomas P. McAuliffe, et al.

ON CONSIDERATION of the motion to dispense with printing the record in this case,

IT IS ORDERED by this Court that the said motion be, and it is hereby, granted.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this motion.

Margaret Arnold, et al.,

Petitioners,

484 vs.

Thomas P. McAuliffe, et al.

On petition for writ of certiorari to the Supreme Court of the State of Oklahoma.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of Oklahoma, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

J. S. Casselman, et al.,

Petitioners,

358 vs.

State of Idaho.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Dell Texas Dalton,

Petitioner,

44, Misc. vs.

Walter A. Hunter, Warden.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Bernard M. Shotkin,

Petitioner,

228, Misc. and 240, Misc.

vs.

W. F. Perkins, et al.

A petition for rehearing having been filed in these cases,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Henry Schectman,

Petitioner,

254, Misc. vs.

John F. Foster, Warden.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Daisy D. Wilson,

Petitioner,

539, Misc. O.T. '48 vs.

Ralph S. Hinman, et al.

A second petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Casper Crowe, Petitioner, vs. The United States of America.

90, Misc.

On petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Fourth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Edward R. Wight, Petitioner, vs. The United States of America.

143, Misc.

On petition for writ of certiorari to the United States Court of Appeals for the Second Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Second Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

John E. Dorsey, Petitioner, vs. The United States of America.

153, Misc.

On petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Fifth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Owen Caudle Butner, Petitioner, vs. State of Nevada.

241, Misc.

On petition for writ of certiorari to the Supreme Court of the State of Nevada.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of Nevada, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Sam Thompson, Petitioner, vs. Browning Robinson, Warden.

255, Misc.

On petition for writ of certiorari to the Circuit Court of Randolph County, of the State of Illinois.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Circuit Court of Randolph County, of the State of Illinois, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

James Trombois, Petitioner, vs. Standard Railway Equipment Manufacturing Company.

267, Misc.

On petition for writ of certiorari to the Appellate Court for the First District, of the State of Illinois.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Appellate Court for the First District, of the State of Illinois, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Harice Leroy Carter, Petitioner, vs. People of the State of Illinois. — On petition for writ of certiorari to the Supreme Court of the State of Illinois.

282, Misc.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of Illinois, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

James D. Cameron, Petitioner, vs. John Shahedy, et al. — On petition for writ of certiorari to the United States Court of Appeals for the Third Circuit.

284, Misc.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Third Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

James D. Cameron, et al., Petitioners, vs. John Shahedy, et al. — On petition for writ of certiorari to the United States Court of Appeals for the Third Circuit.

285, Misc.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Third Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

James D. Cameron, Petitioner, vs. John Shahedy, et al.

303, Misc.

On petition for writ of certiorari to the United States Court of Appeals for the Third Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Third Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Erling J. Elgesen, Petitioner, vs. John R. Cranor, Superintendent.

296, Misc.

On petition for writ of certiorari to the Supreme Court of the State of Washington.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of Washington, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Clifford Bramble, Petitioner, vs. Robert A. Heinze, Warden.

297, Misc.

On petition for writ of certiorari to the Supreme Court of the State of California.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of California, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Max Lowenstein,

Petitioner,

298, Misc. vs.

The People of the State of Michigan.

On petition for writ of certiorari to the Supreme Court of the State of Michigan.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of Michigan, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

George H. Smith,

Petitioner,

299, Misc. vs.

People of the State of Michigan.

On petition for writ of certiorari to the Circuit Court of Chippewa County, of the State of Michigan.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Circuit Court of Chippewa County, of the State of Michigan, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Gerald D. Sherrow,

Petitioner,

300, Misc. vs.

Robert A. Heinze, Warden, et al.

On petition for writ of certiorari to the Supreme Court of the State of California.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of California, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Ralph Cabrera, Petitioner, vs. C. J. Burke, Warden. — On petition for writ of certiorari to the Supreme Court of the Commonwealth of Pennsylvania.

304, Misc.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the Commonwealth of Pennsylvania, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

M. L. Geisel, Petitioner, vs. Stanley P. Ashe, Warden. — On petition for writ of certiorari to the Supreme Court of the Commonwealth of Pennsylvania.

306, Misc.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the Commonwealth of Pennsylvania, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Leo Coniglio, Petitioner, vs. State of New York. — On petition for writ of certiorari to the Court of Appeals of the State of New York.

308, Misc.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Court of Appeals of the State of New York, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

John O. Story,

Petitioner,

316, Misc. vs.

C. P. Burford, Warden.

On petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Tenth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

James Dailey,

Petitioner,

318, Misc. vs.

Joseph E. Ragen, Warden.

On petition for writ of certiorari to the Criminal Court of Cook County, of the State of Illinois.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Criminal Court of Cook County, of the State of Illinois, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Climmie Mathis,

Petitioner,

319, Misc. vs.

Joseph E. Ragen, Warden.

On petition for writ of certiorari to the Supreme Court of the State of Illinois.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of Illinois, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Ed J. Farrant, Petitioner, vs. State of Iowa. — On petition for writ of certiorari to the Supreme Court of the State of Iowa.

321, Misc.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of Iowa, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Charley Howard, Petitioner, vs. Supreme Court of Indiana. — On petition for writ of certiorari to the Supreme Court of the State of Indiana.

322, Misc.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of Indiana, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

George W. Balles, Jr., Petitioner, vs. C. J. Burke, Warden. — On petition for writ of certiorari to the Supreme Court of the Commonwealth of Pennsylvania.

326, Misc.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the Commonwealth of Pennsylvania, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Ronald James Sadness,

Petitioner,

327, Misc. vs.

State of New York.

On petition for writ of certiorari to the Court of Appeals of the State of New York.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Court of Appeals of the State of New York, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Julio Ramirez Perez,

Petitioner,

345, Misc. vs.

The People of the State of New York.

On petition for writ of certiorari to the Court of Appeals of the State of New York.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Court of Appeals of the State of New York, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Black is of the opinion certiorari should be granted.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Norman J. Griffin,

Petitioner,

106, Misc. vs.

United States of America.

On petition for writ of certiorari to the United States Court of Appeals for the Third Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Third Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Clark and Mr. Justice Douglas took no part in the consideration or decision of this application.

Bernard G. McGuire,

Petitioner,

247, Misc. vs.

The United States of America.

ON CONSIDERATION of the motion for leave to file a petition for writ of certiorari in this case,

IT IS ORDERED by this Court that the said motion be, and it is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Dwight L. Becker,

Petitioner,

314, Misc. vs.

Hon. Luther M. Swygert, District Judge.

ON CONSIDERATION of the motion for leave to file a petition for writ of mandamus herein,

IT IS ORDERED by this Court that the said motion be, and it is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

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Mr. Justice Douglas took no part in the consideration or decision of the cases in which judgments or orders are this day announced.

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Colonial Airlines, Inc., Appellant, vs. Russell B. Adams, Joseph J. O'Connell, Jr., et al. — Appeal from the United States District Court for the District of Columbia.

539

It appearing to the Court that counsel for the appellant have filed a motion to dismiss the appeal in this cause;

Therefore, pursuant to said motion, it is ordered by this Court that the appeal herein be, and it is hereby, dismissed.

Per Mr. Chief Justice Vinson.

Clifford Dwane Helm, Petitioner, vs. State of Nevada.

571

ON CONSIDERATION of the application of counsel for petitioner to extend the time to make service of the petition, brief, and record in this case,

IT IS ORDERED by this Court that the time be, and it is hereby, extended to a date which is not later than ten days after the giving of notice by the Clerk of this Court that the printed record has been delivered to the Clerk.

Per Mr. Chief Justice Vinson.

American President Lines, Ltd., Petitioner, vs. James M. Agnew, et al.;

581

American President Lines, Ltd., Petitioner, vs. John W. Griffin, et al.; and

582

American President Lines, Ltd.,

Petitioner,

583 vs.

Augustus Federer, et al.

ON CONSIDERATION of the application of counsel for petitioners to extend the time to make service of the petition, brief, and record in this case,

IT IS ORDERED by this Court that the time be, and it is hereby, extended to a date which is not later than ten days after the giving of notice by the Clerk of this Court that the printed record has been delivered to the Clerk.

Per Mr. Chief Justice Vinson.

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Charles Quicksall,

Petitioner,

33 vs.

People of the State of Michigan.

Argued by Mr. Isadore Levin for the petitioner and Mr. Edmund E. Shepherd for the respondent.

William H. Hiatt, Warden,

Petitioner,

359 vs.

Eugene Preston Brown.

Argument commenced by Mr. Stanley M. Silverberg for the petitioner and continued by Mr. Walter G. Cooper for the respondent.

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Proclamation being made the Court is adjourned until tomorrow at 12 o'clock.

Pursuant to adjournment the Court met at the Supreme Court Building.

PRESENT:

The Honorable Fred M. Vinson, Chief Justice,
Hugo L. Black,
Stanley Reed,
Felix Frankfurter,
Harold H. Burton,
Tom C. Clark,
Sherman Minton.
Associate Justices.

Thomas Ennalls Waggaman, Esquire, Marshal,

Charles Elmore Cropley, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Andrew F. Schoeppel, It is ordered that Tudor Willis Hampton, Esquire, of Great Bend, State of Kansas, and Seward Robert Blackburn, Esquire, of Great Bend, State of Kansas, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

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Julio Ramirez Perez,

Petitioner,

345, Misc. vs.

The People of the State of New York.

UPON CONSIDERATION of the application of counsel for the petitioner,

IT IS ORDERED that execution of the sentence of death imposed on the petitioner herein be, and the same hereby is, stayed pending consideration and disposition of a petition for rehearing.

Per Mr. Chief Justice Vinson.

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William H. Hiatt, Warden,

Petitioner,

359 vs.

Eugene Preston Brown.

Argument concluded by Mr. Walter G. Cooper for the respondent.

Martin Ludwig Cohnstaedt,

Petitioner,

373 vs.

Immigration and Naturalization Service of the United States Department of Justice.

Argued by Mr. Osmond K. Fraenkel for petitioner and by Mr. L. Paul Winings for respondent. Leave granted petitioner to file reply brief within one week.

Commissioner of Internal Revenue,

Petitioner,

384 vs.

Christian W. Korell.

Argued by Mr. Arnold Raum for petitioner and by Mr. Paul L. Peyton for respondent.

Rudolf Reider,

Petitioner,

403 vs.

Guy A. Thompson, Trustee, Missouri Pacific Railroad Company, Debtor.

Argued by Mr. Eberhard P. Deutsch for the petitioner and Mr. M. Truman Woodward, Jr., for the respondent.

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Proclamation being made the Court is adjourned until tomorrow at 12 o'clock.

Pursuant to adjournment the Court met at the Supreme Court Building.

PRESENT:

The Honorable Fred M. Vinson, Chief Justice,
Hugo L. Black,
Stanley Reed,
Felix Frankfurter,
Robert H. Jackson,
Harold H. Burton,
Tom C. Clark,
Sherman Minton. Associate Justices.

Thomas Ennalls Waggaman, Esquire, Marshal,

Charles Elmore Cropley, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Alfred J. Schweppe, It is ordered that Calmar Montgomery McCune, Esquire, of Seattle, State of Washington, and J. Will Jones, Esquire, of Seattle, State of Washington, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Newman Alexander Townsend, It is ordered that John Christoph Blucher Ehringhaus, Jr., Esquire, of Raleigh, State of North Carolina, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

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Kenneth J. Mullane, as Special Guardian and Attorney, etc.,

Appellants,

378 vs.

Central Hanover Bank and Trust Company, as Trustee, etc., et al.

Argued by Mr. Kenneth J. Mullane for the appellants and Mr. Albert B. Maginnes for the appellee, Central Hanover Bank and Trust Co., and submitted by Mr. James N. Vaughan for the appellee, James N. Vaughan, Guardian, etc.

Marion J. Slocum, as General Chairman,
Lackawanna Division No. 30 of the Order
of Railroad Telegraphers,

Petitioner,

391 vs.

The Delaware, Lackawanna and Western
Railroad Company.

Argued by Mr. Leo J. Hassenauer and Mr. Manly Fleischmann for the petitioner and Mr. Pierre W. Evans for the respondent.

Order of Railway Conductors of America,
an unincorporated Association,

Petitioner,

438 vs.

Southern Railway Company, a corporation
organized and existing under the laws of the
State of Virginia.

Argument commenced by Mr. V. C. Shuttleworth for the petitioner and continued by Mr. W. S. Macgill for the respondent.

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Proclamation being made the Court is adjourned until tomorrow at 12 o'clock.

Pursuant to adjournment the Court met at the Supreme Court Building.

PRESENT:

The Honorable Fred M. Vinson, Chief Justice,
Hugo L. Black,
Stanley Reed,
Felix Frankfurter,
Robert H. Jackson,
Harold H. Burton,
Tom C. Clark,
Sherman Minton.
Associate Justices.

Thomas Ennalls Waggaman, Esquire, Marshal,

Charles Elmore Cropley, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. David Wright, Jr., It is ordered that Morgan Louis Amaimo, Esquire, of Baltimore, State of Maryland, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Howard D. Moses, It is ordered that Lawrence Crowell Mills, Esquire, of Chicago, State of Illinois, and A. Abraham Ziedman, Esquire, of Chicago, State of Illinois, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mrs. Beatrice Lampert, It is ordered that Richard S. Gibbs, Esquire, of Milwaukee, State of Wisconsin, and David Boznor, Esquire, of Milwaukee, State of Wisconsin, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. George Sipkin, It is ordered that L. Hilton James, Esquire, of Hampton, Commonwealth of Virginia, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. F. Trowbridge vom Baur, It is ordered that C. Ellis Ott, Esquire, of Bogalusa, State of Louisiana, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

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Order of Railway Conductors of America, an unincorporated association,

Petitioner,

438 vs.

Southern Railway Company, a corporation organized and existing under the laws of the State of Virginia.

Argument continued by Mr. W. S. Macgill for the respondent and concluded by Mr. V. C. Shuttleworth for the petitioner.

Building Service Employees International Union, Local 262, et al.,

Petitioners,

449 vs.

W. L. Gazzam.

Argument commenced by Mr. Daniel D. Carmell for the petitioners, continued by Mr. Alfred J. Schweppe for the respondent; by Mr. Daniel D. Carmell for the petitioners; and concluded by Mr. Walter F. Dodd for the petitioners.

International Brotherhood of Teamsters, Chauffeurs, Warehousemen, and Helpers Union, Local 309, et al.,

Petitioners,

309 vs.

A. E. Hanke, et al., copartners, doing business as Atlas Auto Rebuild.

Argued by Mr. Samuel B. Bassett for the petitioners and by Mr. J. Will Jones for the respondents.

Automobile Drivers and Demonstrators
Local Union No. 382, et al.,

Petitioners,

364 vs.

George E. Cline.

Argument commenced by Mr. Samuel B. Bassett for the petitioners.

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Proclamation being made the Court is adjourned until tomorrow at 12 o'clock.

Pursuant to adjournment the Court met at the Supreme Court Building.

PRESENT:

The Honorable Fred M. Vinson, Chief Justice,

Hugo L. Black,

Stanley Reed,

Felix Frankfurter,

Robert H. Jackson,

Harold H. Burton,

Tom C. Clark,

Sherman Minton,

Associate Justices.

Thomas Ennalls Waggaman, Esquire, Marshal,

Charles Elmore Cropley, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. John M. Bradley, It is ordered that Bernard M. Shanley, Esquire, of Bernardsville, State of New Jersey, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Walter E. Gallagher, It is ordered that Irwin Harold Stickler, Esquire, of Chicago, State of Illinois, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Henry W. Longfellow, It is ordered that Rankin M. Gibson, Esquire, of Chevy Chase, State of Maryland, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Robert L. Irwin, It is ordered that Thomas Spencer Earp, Esquire, of South Boston, Commonwealth of Virginia, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Harold B. Gorwin, It is ordered that John M. Coffman, Esquire, of Washington, District of Columbia, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Robert L. Stern, It is ordered that Gertrude M. Bauer, of Cleveland, State of Ohio, and Saul G. Damaceau, Esquire, of Shaker Heights, State of Ohio, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly. (Miss)

On motion first made to the Court in this behalf by Mr. David P. Doyle, It is ordered that Charles G. Coster, Esquire, of New York, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. William H. Collins, It is ordered that Timothy J. Murphy, Esquire, of Boston, Commonwealth of Massachusetts, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

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Automobile Drivers and Demonstrators
Local Union No. 882, et al.,

Petitioners,

364 vs.

George E. Cline.

Argument continued by Mr. C. M. McCune for the respondent and concluded by Mr. Samuel B. Bassett for the petitioners.

Plankinton Packing Company,

Petitioner,

419 vs.

Wisconsin Employment Relations Board, et al.

Argued by Mr. Richard S. Gibbs for the petitioner; by Mr. Mozart G. Ratner for the National Labor Relations Board, as amicus curiae, by

special leave of Court; by Mrs. Beatrice Lampert for the respondent, Wisconsin Employment Relations Board, and by Mr. David Beznor for the respondent William Stokes, Employee.

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Proclamation being made the Court is adjourned until Monday, February 13, at 12 o'clock.

Pursuant to adjournment the Court met at the Supreme Court Building.

PRESENT:

Hugo L. Black,
Stanley Reed,
Felix Frankfurter,
Robert H. Jackson,
Harold H. Burton,
Tom C. Clark,
Sherman Minton,
Associate Justices.

Thomas Ennalls Waggaman, Esquire, Marshal,
Charles Elmore Cropley, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Patrick A. McCarran, It is ordered that Alan Bible, Esquire, of Carson City, State of Nevada, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Solicitor General Philip B. Perlman, It is ordered that Abram P. Piwosky, Esquire, of Philadelphia, Commonwealth of Pennsylvania, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Brien McMahon, It is ordered that Adrian W. Maher, Esquire, of Bridgeport, State of Connecticut, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Louis J. O'Marr, It is ordered that James L. Simonton, Esquire, of Cody, State of Wyoming, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. G. Ernest Jones, It is ordered that G. Ernest Jones, Jr., Esquire, of Birmingham, State of Alabama, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Elmore Whitehurst, It is ordered that Jackson N. Townsend, Jr., Esquire, of Dallas , State of Texas , be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Julian Eugene Cook, It is ordered that Edward Eugene Dorsey, Esquire, of Atlanta, State of Georgia, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Winfield K. Denton, It is ordered that Charles Henry Sparrenberger, Esquire, of Evansville, State of Indiana, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. William Edwin Carpenter, It is ordered that Leonard W. Lundin, Esquire, of Rockford, State of Illinois, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Furman Smith, It is ordered that Robt. B. Troutman, Esquire, of Atlanta, State of Georgia, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Howe P. Cochran, It is ordered that J. H. Landman, Esquire, of New York, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Roberts Browning Larson, It is ordered that Arvid E. Lyden, Esquire, of Ambler, Commonwealth of Pennsylvania, and Harold L. Warner, Esquire, of Ambler, Commonwealth of Pennsylvania, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Arthur D. London, It is ordered that John D. Marsh, Esquire, of Miami, State of Florida, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. William H. Dorsey, Jr., It is ordered that Joseph F. Holland, Esquire, of Saint Louis, State of Missouri, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Charles A. Horsky, It is ordered that Paul B. Cannon, Esquire, of Salt Lake City, State of Utah, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Daniel J. Murphy, It is ordered that Edwin S. D. Butterfield, Esquire, of Chicago, State of Illinois, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

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The United States, Petitioner, vs. Helen W. Benedict and Frank B. Smith, as Trustees, et al., etc.

On writ of certiorari to the Court of Claims.

45

THIS CAUSE came on to be heard on the transcript of the record from the Court of Claims, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is ordered and adjudged by this Court that the judgment of the said Court of Claims in this cause, be, and the same is hereby, reversed; and that this cause, be, and the same is hereby, remanded to the Court of Claims for proceedings in conformity with the opinion of this Court.

Per Mr. Justice Burton.

Dissenting: Mr. Justice Black and Mr. Justice Jackson.
Separate opinion by Mr. Justice Frankfurter.
Mr. Justice Douglas took no part in the consideration or decision of this case.

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Mr. Justice Black announced the following orders of the Court:

Plankinton Packing Company, Petitioner, vs. Wisconsin Employment Relations Board, et al.

419

On writ of certiorari to the Supreme Court of the State of Wisconsin.

THIS CAUSE came on to be heard on the transcript of the record from the Supreme Court of the State of Wisconsin, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is ordered and adjudged by this Court that the judgment of the said Supreme Court, in this cause, be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the Supreme Court of Wisconsin for proceedings not inconsistent with the opinion of this Court.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this case.

United States Smelting Refining and Mining Company, et al., Petitioners, vs. Emma Grace Lowe.

489

Order allowing certiorari.

The petition herein for a writ of certiorari to the United States Court of Appeals for the Ninth Circuit is granted.

And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

United States Smelting Refining and Mining Company, et al.,

Petitioners,

489 vs.

Emma Grace Lowe.

On writ of certiorari to the United States Court of Appeals for the Ninth Circuit.

THIS CAUSE came on to be heard on the transcript of the record from the United States Court of Appeals for the Ninth Circuit, and was duly submitted.

ON CONSIDERATION WHEREOF, It is now here ordered and adjudged by this Court that the judgment of the said United States Court of Appeals and the judgment of the District Court, in this cause, be, and the same are hereby, vacated with costs; and that this cause be, and the same is hereby, remanded to the United States District Court for the Territory of Alaska with directions to grant a new trial.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this case.

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Mr. Justice Black said:

"The other orders of the Court appear upon the list filed with the Clerk and will not be announced orally."

Valentine Broadway Bowers, Jr.,

Petitioner,

482 vs.

The United States of America.

On petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Fifth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

John J. Casale, Inc., Petitioner, vs. The United States. — On petition for writ of certiorari to The Court of Claims.

483

ON CONSIDERATION of the petition for a writ of certiorari herein to the Court of Claims, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Rose W. Shain, Petitioner, vs. Mark Shain. — On petition for writ of certiorari to the Supreme Judicial Court of the Commonwealth of Massachusetts.

485

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Judicial Court of the Commonwealth of Massachusetts, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

National Maritime Union of America, etc., et al., Petitioners, vs. National Labor Relations Board. — On petition for writ of certiorari to the United States Court of Appeals for the Second Circuit.

488

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Second Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Missouri-Kansas-Texas Railroad Company,
Petitioner,
492 vs.
State of Oklahoma, ex rel. Commissioners of Land Office of the State of Oklahoma, et al.

On petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Tenth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

United States National Bank of Denver, et al.,
Petitioners,
504 vs.
Ruby Dickey Bartges.

On petition for writ of certiorari to the Supreme Court of the State of Colorado.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of Colorado, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Transport, Trading and Terminal Corporation,
Petitioner,
505 vs.
Commissioner of Internal Revenue.

On petition for writ of certiorari to the United States Court of Appeals for the Second Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Second Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

O. O. Owens, Petitioner, vs. The United States of America. — On petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit.

508

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Tenth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Chicago Transit Authority, Petitioner, vs. People of the State of Illinois, and John E. Sullivan, Liquidating Trustee, etc. — On petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit.

510

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Seventh Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Chicago Transit Authority, Petitioner, vs. People of the State of Illinois, and John E. Sullivan, Liquidating Trustee, etc. — On petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit.

511

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Seventh Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Atlantic Coast Line Railroad Company, et al.,

Petitioners,

515 vs.

G. B. Jennings, Administratrix of the Estate of Luther W. Carter.

On petition for writ of certiorari to the Supreme Court of the State of South Carolina.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of South Carolina, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Edward G. Dougherty,

Petitioner,

518 vs.

General Motors Corporation, etc.

On petition for writ of certiorari to the United States Court of Appeals for the Third Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Third Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Harris Henry Horner,

Petitioner,

535 vs.

The United States.

ON CONSIDERATION of the motion to dispense with printing the record in this case,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, granted.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this motion.

Harris Henry Horner,
Petitioner,
vs.
The United States.

On petition for writ of certiorari to The Court of Claims.

535

ON CONSIDERATION of the petition for a writ of certiorari herein to the Court of Claims, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

J. Baker Bryan, Sr.,
Petitioner,
vs.
The United States of America.

178

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Walter N. Smith, et al.,
Petitioners,
vs.
Hon. William O'Dwyer, Mayor of the City of New York, et al.

474

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Wallace Phillips,

Petitioner,

260, Misc. vs.

Joseph E. Ragen, Warden.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Judith Coplon,

Petitioner,

295, Misc. vs.

Hon. Albert L. Reeves, et al.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Elijah Townsend,

Petitioner,

47, Misc. vs.

State of Kansas.

On petition for writ of certiorari to the Supreme Court of the State of Kansas.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of Kansas, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Jay Paul Shelton, Petitioner, vs. Curtis Reed, Resident Superintendent, District of Columbia Jail.

125, Misc.

On petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the District of Columbia Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Thomas Edwin Black, Petitioner, vs. State of Arkansas.

279, Misc.

On petition for writ of certiorari to the Supreme Court of the State of Arkansas.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of Arkansas, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Fred Tate, Petitioner, vs. Robert A. Heinze, Warden.

301, Misc.

On petition for writ of certiorari to the Supreme Court of the State of California.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of California, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

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Mr. Justice Douglas took no part in the consideration or decision of the cases in which judgments or orders are this day announced.

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The Court will take a recess from Monday, February 20, until Monday, March 13, next.

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Louise M. Wissner and Leandous H. Wissner,

Appellants,

119 vs.

Margaret Wissner.

Time within which to file petition for rehearing extended to March 3, 1950, on motion of counsel for appellee.

Per Mr. Chief Justice Vinson.

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Georgia Railroad and Banking Company,

Appellant,

454 vs.

Charles D. Redwine, State Revenue Commissioner.

Argued by Mr. Furman Smith for the appellant and Mr. M. H. Blackshear, Jr., for the appellee.

The United States of America and Interstate Commerce Commission,

Appellants,

173 vs.

United States Smelting Refining and Mining Company, et al.

Four hours allowed for oral argument. Argument commenced by Mr. Allen Crenshaw for the appellant The Interstate Commerce Commission; and continued by Mr. John F. Finerty for the appellee American Smelting and Refining

Company; and by Mr. Otis J. Gibson for the appellee Denver & Rio Grande Western Railroad Company.

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Proclamation being made the Court is adjourned until tomorrow at 12 o'clock.

TUESDAY, FEBRUARY 14, 1950.

Pursuant to adjournment the Court met at the Supreme Court Building.

PRESENT:

Hugo L. Black,
Stanley Reed,
Felix Frankfurter,
Robert H. Jackson,
Harold H. Burton,
Tom C. Clark,
Sherman Minton.
Associate Justices.

Thomas Ennalls Waggaman, Esquire, Marshal,

Charles Elmore Cropley, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Clair Engle, It is ordered that James Francis Coakley, Esquire, of Oakland, State of California, and William Roderick McDougall, Esquire, of Sacramento, State of California, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Norman Duberstein, It is ordered that Harry J. Bozof, Esquire, of Washington, District of Columbia, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. John T. Barker, It is ordered that Thomas B. Phillips, Esquire, of Kansas City, State of Missouri, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Robert L. Stern, It is ordered that Patrick J. Gilmore, Jr., Esquire, of Juneau, Territory of Alaska, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Joseph W. Bishop, Jr., It is ordered that Henry L. Hess, Esquire, of Portland, State of Oregon, and Harvey Erickson, Esquire, of Spokane, State of Washington, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Thomas A. Kennedy, It is ordered that Philip B. Billings, Esquire, of Wallingford, State of Connecticut, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Oswald Ryan, It is ordered that Harold A. Jones, Esquire, of Pasadena, State of California, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

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The United States of America and
Interstate Commerce Commission,

Appellants,

173 vs.

United States Smelting Refining and
Mining Company, et al.

Argument continued by Mr. Elmer B. Collins for the appellee, Union Pacific Railroad Co.; by Mr. Charles A. Horsky for the appellee, United States Smelting Refining and Mining Co.; by Mr. Allen Crenshaw for appellant, Interstate Commerce Commission; and concluded by Mr. Joseph W. Bishop, Jr., for appellant, The United States, and case submitted by Mr. Stanley T. Wallbank for Intervenor, Colorado Mining Association; by Mr. S. J. Quinney for Intervenor, Utah Mining Association; by Mr. Clinton D. Vernon for Intervenor, Public Service Commission of Utah and State of Utah; and by Mr. Walter R. McDonald for Intervenor, The Public Utilities Commission of Colorado.

Railway Labor Executives' Association,

Appellant,

337 vs.

The United States of America, Interstate Commerce Commission, City of New Orleans, Louisiana, et al.

Argued by Mr. Edward J. Hickey, Jr., for appellant; by Mr. Daniel W. Knowlton for appellee, Interstate Commerce Commission; by Mr. W. S. Macgill for appellees, Railroad Intervenors; and case submitted by Mr. Solicitor General Perlman, Mr. Herbert A. Bergson, Mr. Robert L. Stern and Mr. Richard E. Guggenheim for appellee, The United States.

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Proclamation being made the Court is adjourned until Monday, February 20, next, at 12 o'clock.

Pursuant to adjournment the Court met at the Supreme Court Building.

PRESENT:

The Honorable Fred M. Vinson, Chief Justice,
Hugo L. Black,
Stanley Reed,
Felix Frankfurter,
Robert H. Jackson,
Harold H. Burton,
Tom C. Clark,
Sherman Minton.
Associate Justices.

Thomas Ennalls Waggaman, Esquire, Marshal,
Charles Elmore Cropley, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Kenneth S. Wherry, It is ordered that Max A. Denney, Esquire, of Fairbury, State of Nebraska, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Olin D. Johnston, It is ordered that J. Moore Mars, Esquire, of Abbeville, State of South Carolina, and Frederick C. Belen, Esquire, of Lansing, State of Michigan, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Lawrence H. Smith, It is ordered that Charles A. Barnard, Esquire, of Oshkosh, State of Wisconsin, and Lytle O. Cooke, Esquire, of Neenah, State of Wisconsin, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. James Hardin Peterson, It is ordered that Frank J. Kelly, Esquire, of Miami, State of Florida, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. A. Sidney Camp, It is ordered that William W. Mundy, Jr., Esquire, of Cedartown, State of Georgia, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. John H. Pickering, It is ordered that Howard Warren Rea, Esquire, of Washington, District of Columbia, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Luther A. Johnson, It is ordered that Chauncey P. Carter, Jr., Esquire, of Washington, District of Columbia, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. John E. Lyle, Jr., It is ordered that Lloyd M. Bentsen, Jr., Esquire, of McAllen, State of Texas, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Edward V. Ryan, It is ordered that James K. Seery, Esquire, of New York, State of New York; Adelbert G. Straub, Jr., Esquire, of New York, State of New York; and John F. Mulvey, Esquire, of New York, State of New York, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Oscar W. Riese, It is ordered that Albert Lyman Beardsley, Esquire, of Minneapolis, State of Minnesota, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. James Coates Lear, It is ordered that Jack K. Berman, Esquire, of San Francisco, State of California, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Marx Leva, It is ordered that Louis F. Oberdorfer, Esquire, of Washington, District of Columbia, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Hugh T. Fullerton, It is ordered that William H. Waldrop, Jr., Esquire, of New York, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Frank J. Ready, It is ordered that Henry C. Vosbein, Esquire, of New Orleans, State of Louisiana, and J. Terry Reynolds, Jr., Esquire, of Mobile, State of Alabama, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. William Paul Shelley, Jr., It is ordered that Raymond A. Hepner, Esquire, of Pensacola, State of Florida, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. William Caverly, It is ordered that Jule E. Stocker, Esquire, of New York, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Joseph P. Tumulty, Jr., It is ordered that Henry J. Bender, Jr., Esquire, of Union City, State of New Jersey, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

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The United States of America, Petitioner, vs. Albert J. Rabinowitz. 293

On writ of certiorari to the United States Court of Appeals for the Second Circuit.

THIS CAUSE came on to be heard on the transcript of the record from the United States Court of Appeals for the Second Circuit, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is now here ordered and adjudged by this Court that the judgment of the said United States Court of Appeals, in this cause, be, and the same is hereby, reversed; and that this cause be, and the same is hereby, remanded to the United States District Court for the Southern District of New York for proceedings in conformity with the opinion of this Court.

Per Mr. Justice Minton.

Dissenting opinion by Mr. Justice Black.
Dissenting opinion by Mr. Justice Frankfurter in which Mr. Justice Jackson joins.

Mr. Justice Douglas took no part in the consideration or decision of this case.

Wong Yang Sung, Petitioner, vs. J. Howard McGrath, Attorney General of the United States, et al. 154

On writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit.

THIS CAUSE came on to be heard on the transcript of the record from the United States Court of Appeals for the District of Columbia Circuit, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is now here ordered and adjudged by this Court that the judgment of the said United States Court of Appeals, in this cause, be, and the same is hereby, reversed; and that this cause be, and the same is hereby, remanded to the United States District Court for the District of Columbia for proceedings in conformity with the opinion of this Court.

Per Mr. Justice Jackson.

Dissenting opinion by Mr. Justice Reed.
Mr. Justice Douglas and Mr. Justice Clark took no part in the consideration or decision of this case.

*NOTE: On March 13, 1950 an order was entered, amending the above judgment to read as follows:

Wong Yang Sung, Petitioner, vs. J. Howard McGrath, Attorney General of the United States, et al. — On writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit.

154

THIS CAUSE came on to be heard on the transcript of the record from the United States Court of Appeals for the District of Columbia Circuit, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is now here ordered and adjudged by this Court that the judgment of the said United States Court of Appeals, in this cause, be, and the same is hereby, reversed; and that this cause be, and the same is hereby, remanded to the United States District Court for the District of Columbia for an order releasing the prisoner from custody under the order of deportation but without terminating petitioner's custody under the warrant of arrest issued by the Attorney General dated October 13, 1947.

Per Mr. Justice Jackson.

Dissenting opinion by Mr. Justice Reed.

Mr. Justice Douglas and Mr. Justice Clark took no part in the consideration or decision of this case.

District of Columbia, Petitioner, vs. Geraldine Little, Alias Mildred Parker. — On writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit.

302

THIS CAUSE came on to be heard on the transcript of the record from the United States Court of Appeals for the District of Columbia Circuit, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is now here ordered and adjudged by this Court that the judgment of the said United States Court of Appeals, in this cause, be, and the same is hereby, affirmed with costs; and that this cause be, and the same is hereby, remanded to the said Court of Appeals.

Per Mr. Justice Black.

Dissenting opinion by Mr. Justice Burton in which Mr. Justice Reed concurs.

Mr. Justice Douglas took no part in the consideration or decision of this case.

George W. Solesbee, Appellant, vs. R. P. Balkcom, Jr., Warden of the State Penitentiary, Tattnall, Georgia. — Appeal from the Supreme Court of the State of Georgia.

77

THIS CAUSE came on to be heard on the transcript of the record from the Supreme Court of the State of Georgia, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court, in this cause, be, and the same is hereby, affirmed.

Per Mr. Justice Black.

Dissenting opinion by Mr. Justice Frankfurter.

Mr. Justice Douglas took no part in the consideration or decision of this case.

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The Chief Justice announced the following orders of the Court:

Martin Ludwig Cohnstaedt, Petitioner, vs. Immigration and Naturalization Service of the United States Department of Justice. — On writ of certiorari to the Supreme Court of the State of Kansas.

373

THIS CAUSE came on to be heard on the transcript of the record from the Supreme Court of the State of Kansas, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is ordered and adjudged by this Court that the judgment of the said Supreme Court, in this cause, be, and the same is hereby, reversed; and that this cause be, and the same is hereby, remanded to the Supreme Court of Kansas for proceedings not inconsistent with the opinion of this Court.

Per Mr. Chief Justice Vinson.

Dissenting: The Chief Justice, Mr. Justice Reed, and Mr. Justice Clark.

Mr. Justice Douglas took no part in the consideration or decision of this case.

Georgia Railroad & Banking Company, Appellant, vs. Charles D. Redwine, State Revenue Commissioner.

454

Appeal from the United States District Court for the Northern District of Georgia.

Inasmuch as the Attorney General of Georgia stated at the bar of this Court that plain, speedy and efficient State remedies were available to appellant, the cause is ordered continued for such period as will enable appellant with all convenient speed to assert such remedies.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration of this matter.

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The Chief Justice said:

"The other orders of the Court appear upon the list certified by the Chief Justice and filed with the Clerk and will not be announced orally."

Oscar R. Ewing, Federal Security Administrator, et al., Appellants, vs. Mytinger and Casselberry, a California Corporation.

568

The statement of jurisdiction in this case having been submitted and considered by the Court, probable jurisdiction is noted.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this question.

Elliott V. Bell, Superintendent of Banks of the State of New York, etc., Petitioner,

512 vs.

Eugene T. Singer.

Order allowing certiorari.

The petition herein for a writ of certiorari to the Court of Appeals of the State of New York is granted.

And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Eugene T. Singer, Petitioner,

527 vs.

The Yokohama Specie Bank, Limited, et al.

Order allowing certiorari.

The petition herein for a writ of certiorari to the Court of Appeals of the State of New York is granted.

And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Elliott V. Bell, Superintendent of Banks of the State of New York, etc., Petitioner,

513 vs.

Banque Mellie Iran.

Order allowing certiorari.

The petition herein for a writ of certiorari to the Court of Appeals of the State of New York is granted.

And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Banque Nellie Iran, Petitioner,

528 vs.

Elliott V. Bell, Superintendent of Banks of the State of New York, etc.

Order allowing certiorari.

The petition herein for a writ of certiorari to the Court of Appeals of the State of New York is granted.

And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Robert Womsley, Charles A. Woods, Jr., et al., Petitioners,

498 vs.

Pennsylvania Railroad Company, et al.

On petition for writ of certiorari to the United States Court of Appeals for the Third Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Third Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

State of Washington,

Petitioner,

500 vs.

Columbia Steel Company.

On petition for writ of certiorari to the Supreme Court of the State of Washington.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of Washington, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Tax Commission of the State of Washington, E. C. Huntley, et al.,

Petitioners,

501 vs.

Weyerhaeuser Sales Company.

On petition for writ of certiorari to the Supreme Court of the State of Washington.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of Washington, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

James Buteau,

Petitioner,

509 vs.

State of Connecticut.

On petition for writ of certiorari to the Supreme Court of Errors of the State of Connecticut.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of Errors of the State of Connecticut, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Daisy B. Wooton (Mrs. Richard G. Wooton), widow of Richard G. Wooton, deceased, et al., Petitioners,

516 vs.

The United States.

On petition for writ of certiorari to The Court of Claims.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Court of Claims, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

L. Holmes Eleazer, Petitioner,

526 vs.

The United States of America.

On petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Fourth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Phillips Petroleum Company, Petitioner,

529 vs.

H. C. Jones, Collector of Internal Revenue.

On petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Tenth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

The United States Graphite Company, Petitioner,
532 vs.
Charles Sawyer, Secretary of Commerce.

On petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the District of Columbia Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Marguerite S. Glover, Petitioner,
534 vs.
McM. Coffing, V-I-D, Inc., Debtor, et al.

On petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Seventh Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Federal Power Commission, Petitioner,
71 vs.
East Ohio Gas Company, et al.

Petitions for rehearing having been filed in this case by respondents,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petitions be, and they are hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas and Mr. Justice Burton took no part in the consideration or decision of this application.

Mollie Eagle,

Petitioner,

81, Misc. vs.

Benjamin Cherney and Samuel H. Berger.

A third petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

William Richard Williams, On petition for writ of certiorari

Petitioner, to the United States Court of

219, Misc. vs. Appeals for the Fifth Circuit.

The United States of America.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Fifth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Edward J. McCormack, On petition for writ of certiorari

Petitioner, to the United States Court of

243, Misc. vs. Appeals for the Fifth Circuit.

William H. Hiatt, Warden.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Fifth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Robert Frank Bryan,

Petitioner,

307, Misc. vs.

State of Georgia.

On petition for writ of certiorari to the Supreme Court of the State of Georgia.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of Georgia, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Paul A. Johnson,

Petitioner,

309, Misc. vs.

Joseph E. Ragen, Warden.

On petition for writ of certiorari to the Circuit Court of Will County, of the State of Illinois.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Circuit Court of Will County, of the State of Illinois, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Calvin R. Smith,

Petitioner,

310, Misc. vs.

Joseph E. Ragen, Warden.

On petition for writ of certiorari to the Circuit Court of Will County, of the State of Illinois.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Circuit Court of Will County, of the State of Illinois, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Carl Zubr,
Petitioner,
311, Misc. vs.
Joseph E. Ragen, Warden.

On petition for writ of certiorari to the Circuit Court of Will County, Circuit Court of Sangamon County, and the Supreme Court of the State of Illinois.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Circuit Court of Will County, Circuit Court of Sangamon County, and the Supreme Court of the State of Illinois,

IT IS ORDERED by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Fred Wilson,
Petitioner,
312, Misc. vs.
Joseph E. Ragen, Warden.

On petition for writ of certiorari to the Circuit Court of Kane County, of the State of Illinois.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Circuit Court of Kane County, of the State of Illinois, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Joe Johnson,
Petitioner,
325, Misc. vs.
Joseph E. Ragen, Warden.

On petition for writ of certiorari to the Criminal Court of Cook County, of the State of Illinois.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Criminal Court of Cook County, of the State of Illinois, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Carl Hamby, Petitioner, vs. Joseph E. Hagen, Warden. 335, Misc.

On petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Seventh Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Ted Bailey, Petitioner, vs. Robert A. Heinze, Warden. 343, Misc.

On petition for writ of certiorari to the Supreme Court of the State of California.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of California, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Charlayne Whiteley Gellatly, etc., Petitioner, vs. Alexander Wetmore. 290, Misc.

On petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the District of Columbia Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

The Chief Justice and Mr. Justice Douglas took no part in the consideration or decision of this application.

In the Matter of Sanford Leonard Schamus.

328, Misc.

ON CONSIDERATION of the motion for leave to file a petition for writ of quo warranto herein,

IT IS ORDERED by this Court that the said motion be, and it is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Leo G. Kissinger,

Petitioner,

329, Misc. vs.

Walter A. Hunter, Warden.

ON CONSIDERATION of the motion for leave to file a petition for writ of habeas corpus herein,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Wellington Lancour,

Petitioner,

338, Misc. vs.

State of Michigan.

ON CONSIDERATION of the motion for leave to file a petition for writ of habeas corpus herein,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Mr. Justice Douglas took no part in the consideration or decision of the cases in which orders or judgments are this day announced.

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Maurice C. Sparling, Superintendent of Banks of the State of California, etc.,

Petitioner,

13 vs.

Paramount Pictures, Inc., et al.

It is ordered that the time for making service of the petition for certiorari, brief, and record, be, and the same is hereby, extended to a date which is not later than 15 days after the giving of notice by the Clerk of this Court to counsel for the petitioner that the printed record in this case has been delivered to such Clerk.

Per Mr. Chief Justice Vinson.

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Proclamation being made the Court is adjourned until Monday, March 13, next, at 12 o'clock.

Pursuant to adjournment the Court met at the Supreme Court Building.

PRESENT:

The Honorable Fred M. Vinson, Chief Justice,
Hugo L. Black,
Stanley Reed,
Felix Frankfurter,
Robert H. Jackson,
Harold H. Burton,
Tom C. Clark,
Sherman Minton.
Associate Justices.

Thomas Ennalls Waggaman, Esquire, Marshal,

Charles Elmore Cropley, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Solicitor General Philip B. Perlman, It is ordered that Harold E. Mott, Esquire, of Arlington, Commonwealth of Virginia, and David McKibbin, 3rd, Esquire, of New York, State of New York, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Andrew J. Schoeppel, It is ordered that Robert Bowland Ritchie, Esquire, of Wichita, State of Kansas, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Elmore Whitehurst, It is ordered that Stanley M. Kaufman, Esquire, of Dallas, State of Texas, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Llewellyn A. Luce, It is ordered that Donald A. Surine, Esquire, of Washington, District of Columbia; Frank A. Surine, Esquire, of Washington, District of Columbia; and Paul R. Smith, Esquire, of Santa Monica, State of California, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. William R. Vallance, It is ordered that Smith N. Crowe, Jr., Esquire, of Washington, District of Columbia, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Charles Sylvanus Rhyne, It is ordered that Calvin M. Cory, Esquire, of Washington, District of Columbia, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Miss Katheryn M. Doherty, It is ordered that Mildred C. Cosby, of San Francisco, State of California, be admitted to practice as an Attorney and Counsellor of this Court, and she was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Milton A. Smith, It is ordered that Charles Reynolds Cosby, Esquire, of San Francisco, State of California, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Max C. Louis, It is ordered that Irvin H. Rimel, Esquire, of Kensington, State of Maryland, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Joseph K. Carson, Jr., It is ordered that Harold L. Davidson, Esquire, of Portland, State of Oregon, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Joseph J. De Raad, It is ordered that Guy T. Huthnance, Esquire, of Tuscaloosa, State of Alabama, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Elmore Whitehurst, It is ordered that Averill E. Butterfield, Esquire, of Tucson, State of Arizona, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. John G. Laylin, It is ordered that Monroe Leigh, Esquire, of Richmond, Commonwealth of Virginia, and Sherlock Davis, Esquire, of Washington, District of Columbia, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. James M. Graves, It is ordered that Harold Guttman, Esquire, of New York, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Irwin Geiger, It is ordered that Irwin Greene, Esquire, of Cleveland, State of Ohio, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. J. Carter Fort, Jr., It is ordered that Hamilton Douglas, Jr., Esquire, of Atlanta, State of Georgia, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Harold L. Kennedy, It is ordered that John F. Lane, Esquire, of Washington, District of Columbia, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Claudius Oscar Wolfe, It is ordered that Herman Frankel, Esquire, of New York, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Charles Gordon, It is ordered that Nicholas P. Lopes, Esquire, of Lawrence, State of Kansas, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Welburn Mayock, It is ordered that Joseph T. Enright, Esquire, of Los Angeles, State of California, and Asher Louis Wheeler, Esquire, of Washington, District of Columbia, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Chauncey P. Carter, Jr., It is ordered that Roderick Russell Eagan, Esquire, of Washington, District of Columbia, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. John Wattawa, It is ordered that Joseph M. Creed, Esquire, of Alexandria, Commonwealth of Virginia, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. F. Granville Munson, It is ordered that William A. Hunt, Esquire, of Ottumwa, State of Iowa, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. E. K. Gubin, It is ordered that Henry Robinson, Esquire, of San Francisco, State of California, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. David W. Louisell, It is ordered that C. Donald Peterson, Esquire, of Minneapolis, State of Minnesota, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. T. Wade Harrison, It is ordered that Leslie S. Kohn, Esquire, of Newark, State of New Jersey, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Felix A. Russell, It is ordered that Charles H. Flasphaler, Esquire, of Washington, District of Columbia, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Samuel Brian Groner, It is ordered that Albert Bernhard De Salardi, Esquire, of Pittsburgh, Commonwealth of Pennsylvania, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Hugh T. Fullerton, It is ordered that Bryant Prescott, Esquire, of New Bedford, Commonwealth of Massachusetts, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

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Rudolf Reider, Petitioner, vs. Guy A. Thompson, Trustee, Missouri Pacific Railroad Company, Debtor.

403

On writ of certiorari to the United States Court of Appeals for the Fifth Circuit.

THIS CAUSE came on to be heard on the transcript of the record from the United States Court of Appeals for the Fifth Circuit, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is now here ordered and adjudged by this Court that the judgment of the said United States Court of Appeals, in this cause, be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the United States District Court for the Eastern District of Louisiana for further proceedings in conformity with the opinion of this Court.

Per Mr. Justice Minton.

Dissenting opinion by Mr. Justice Frankfurter.

Mr. Justice Douglas and Mr. Justice Jackson took no part in the

Floyd G. Affolder, Petitioner, vs. New York, Chicago and St. Louis Railroad Company.

On writ of certiorari to the United States Court of Appeals for the Eighth Circuit.

200

THIS CAUSE came on to be heard on the transcript of the record from the United States Court of Appeals for the Eighth Circuit, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is now here ordered and adjudged by this Court that the judgment of the said United States Court of Appeals, in this cause, be, and the same is hereby, reversed with costs and the judgment of the District Court is affirmed; and that this cause be, and the same is hereby, remanded to the United States District Court for the Eastern District of Missouri.

Per Mr. Justice Clark.

Mr. Justice Frankfurter would dismiss the writ of certiorari as improvidently granted.
Dissenting: Mr. Justice Reed.
Dissenting opinion by Mr. Justice Jackson.
Mr. Justice Douglas took no part in the consideration or decision of this case.

William H. Hiatt, Warden, United States Penitentiary, Atlanta, Georgia, Petitioner, vs. Eugene Preston Brown.

On writ of certiorari to the United States Court of Appeals for the Fifth Circuit.

359

THIS CAUSE came on to be heard on the transcript of the record from the United States Court of Appeals for the Fifth Circuit, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is now here ordered and adjudged by this Court that the judgment of the said United States Court of Appeals, in this cause, be, and the same is hereby, reversed; and that this cause be, and the same is hereby, remanded to the United States District Court for the Northern District of Georgia for proceedings in conformity with the opinion of this Court.

Per Mr. Justice Clark.

Concurring opinion by Mr. Justice Burton.

Mr. Justice Douglas took no part in the consideration or decision of this case.

The United States of America, Appellant, vs. Joe Burnison, and Phil C. Katz, Public Administrator of the City and County of San Francisco.

Appeal from the Supreme Court of the State of California.

171

THIS CAUSE came on to be heard on the transcript of the record from the Supreme Court of the State of California, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court, in this cause, be, and the same is hereby, affirmed.

Per Mr. Justice Reed.

Dissenting: Mr. Justice Black.

Mr. Justice Douglas took no part in the consideration or decision of this case.

The United States of America, Appellant, vs. Charles F. Gayetty, et al.

Appeal from the Supreme Court of the State of California.

188

THIS CAUSE came on to be heard on the transcript of the record from the Supreme Court of the State of California, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court, in this cause, be, and the same is hereby, affirmed.

Per Mr. Justice Reed.

Dissenting: Mr. Justice Black.

Mr. Justice Douglas took no part in the consideration or decision of this case.

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The Chief Justice announced the following orders of the Court:

The United States of America, ex rel. Lee Wo Shing,

Petitioner,

213 vs.

Edward J. Shaughnessy, Acting District Director of Immigration and Naturalization Service in the New York District, etc.

Order allowing certiorari.

The petition herein for a writ of certiorari to the United States Court of Appeals for the Second Circuit is granted.

And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas and Mr. Justice Clark took no part in the consideration or decision of this application.

The United States of America, ex rel. Lee Wo Shing,

Petitioner,

213 vs.

Edward J. Shaughnessy, Acting District Director of the Immigration and Naturalization Service, etc.

On writ of certiorari to the United States Court of Appeals for the Second Circuit.

THIS CAUSE came on to be heard on the transcript of the record from the United States Court of Appeals for the Second Circuit, and was duly submitted.

ON CONSIDERATION WHEREOF, It is now here ordered and adjudged by this Court that the judgment of the said United States Court of Appeals, in this cause, be, and the same is hereby, reversed; and that this cause be, and the same is hereby, remanded to the United States District Court for the Southern District of New York for proceedings in conformity with the opinion of this Court in the case of Wong Yang Sung vs. McGrath, No. 154, decided February 20, 1950.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas and Mr. Justice Clark took no part in the consideration or decision of this case.

Carpet, Linoleum and Resilient Floor Decorators Union, Local No. 596, A. F. of L., et al., Appellants,

vs.

The Dayton Company.

Appeal from the Supreme Court of the State of Minnesota.

531

THIS CAUSE came on to be heard on the transcript of the record from the Supreme Court of the State of Minnesota, and on motion to dismiss or affirm, which was duly submitted.

ON CONSIDERATION WHEREOF, It is now here ordered by this Court that the motion to dismiss the appeal herein be, and the same is hereby, granted.

IT IS FURTHER ORDERED that the appeal herein be, and the same is hereby, dismissed for the reason that the judgment of the court below is based upon a non-federal ground adequate to support it.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this case.

The Board of Regents of the University of Wisconsin and the State of Wisconsin, Appellants,

vs.

The State of Illinois.

Appeal from the Supreme Court of the State of Illinois.

544

THIS CAUSE came on to be heard on the transcript of the record from the Supreme Court of the State of Illinois, and was duly submitted.

ON CONSIDERATION WHEREOF, It is now here ordered by this Court that the appeal herein be, and the same is hereby, dismissed.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this case.

State of Washington, ex rel. The Washington Water Power Company, et al., Appellants,

vs.

The Superior Court of the State of Washington for Chelan County, et al.

Appeal from the Supreme Court of the State of Washington.

555

THIS CAUSE came on to be heard on the transcript of the record from the Supreme Court of the State of Washington, and on motion to dismiss, which

was duly submitted.

ON CONSIDERATION WHEREOF, It is now here ordered by this Court that the motion to dismiss the appeal herein be, and the same is hereby, granted.

IT IS FURTHER ORDERED that the appeal herein be, and the same is hereby, dismissed for the want of a substantial federal question.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this case.

Standard Dredging Corporation, Appellant, vs. State of Louisiana, ex rel. Rufus W. Fontenot, Director of Revenue.

Appeal from the Supreme Court of the State of Louisiana.

559

THIS CAUSE came on to be heard on the transcript of the record from the Supreme Court of the State of Louisiana, and on motion to dismiss or affirm, which was duly submitted.

ON CONSIDERATION WHEREOF, It is now here ordered by this Court that the motion to dismiss the appeal herein be, and the same is hereby, granted.

IT IS FURTHER ORDERED that the appeal herein be, and the same is hereby, dismissed for the want of a substantial federal question.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this case.

Minneapolis Street Railway Company, Appellant, vs. City of Minneapolis, Hubert H. Humphrey, Jr., as Mayor of the City of Minneapolis, et al.

Appeal from the Supreme Court of the State of Minnesota.

563

THIS CAUSE came on to be heard on the transcript of the record from the Supreme Court of the State of Minnesota, and on motion to dismiss or affirm, which was duly submitted.

ON CONSIDERATION WHEREOF, It is now here ordered by this Court that the motion to dismiss the appeal herein be, and the same is hereby, granted.

IT IS FURTHER ORDERED that the appeal herein be, and the same is hereby, dismissed for the want of a final judgment.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this case.

Gerald Miller and David Caudill, etc., Appellants, vs. City of Spokane, a Municipal Corporation, William P. Payne, Commissioner of Public Safety, et al.

Appeal from the Supreme Court of the State of Washington.

608

THIS CAUSE came on to be heard on the transcript of the record from the Supreme Court of the State of Washington, and on motion to dismiss or affirm, which was duly submitted.

ON CONSIDERATION WHEREOF, It is now here ordered by this Court that the motion to dismiss the appeal herein be, and the same is hereby, granted.

IT IS FURTHER ORDERED that the appeal herein be, and the same is hereby, dismissed for the want of jurisdiction.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this case.

Gerald Miller and David Caudill, etc., Appellants, vs. City of Spokane, a Municipal Corporation, William P. Payne, Commissioner of Public Safety, et al.

Appeal from the Supreme Court of the State of Washington.

608

TREATING the appeal papers herein from the Supreme Court of the State of Washington as an application for a writ of certiorari;

ON CONSIDERATION WHEREOF, It is ordered by this Court that the said application for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

A. F. Luse,

Appellant,

644 vs.

The People of the State of California.

ON CONSIDERATION of the motion for leave to proceed further herein in forma pauperis,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, granted.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration of this motion.

A. F. Luse,

Appellant,

644 vs.

The People of the State of California.

Appeal from the District Court of Appeal of the State of California, Second Appellate District.

THIS CAUSE came on to be heard on the transcript of the record from the District Court of Appeal of the State of California, Second Appellate District, and on motion to dismiss, which was duly submitted.

ON CONSIDERATION WHEREOF, It is now here ordered by this Court that the motion to dismiss the appeal herein be, and the same is hereby, granted.

IT IS FURTHER ORDERED that the appeal herein be, and the same is hereby, dismissed for the want of a substantial federal question.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this case.

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The Chief Justice said:

"The other orders of the Court appear upon the list certified by the Chief Justice and filed with the Clerk and will not be announced orally."

H. Carrington Lancaster, et al.,

Appellants,

_____ vs.

Hall Hammond, Attorney General of Maryland, et al.

ON CONSIDERATION of the motion for a stay of the mandate of the Court of Appeals of the State of Maryland, referred to the Court by Mr. Justice Black,

IT IS ORDERED by this Court that the said motion be, and it is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this motion.

The United States of America,

Plaintiff,

12, Original vs.

The State of Louisiana; and

The United States of America,

Plaintiff,

13, Original vs.

The State of Texas.

These cases are reassigned for argument on Monday, March 27th.

The motion of the State of Texas to pass is denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas, Mr. Justice Jackson, and Mr. Justice Clark took no part in the consideration or decision of this application.

Graver Tank and Mfg. Co., Inc., et al.,

Petitioners,

2 vs.

The Linde Air Products Company.

ON CONSIDERATION of the motion for leave to file brief of American Lecithin Company, et al., as amici curiae in this case,

IT IS ORDERED by this Court that the said motion be, and it is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this motion.

Heman Marion Sweatt,

Petitioner,

44 vs.

Theophilis Shickel Painter, et al.

ON CONSIDERATION of the motion for leave to file brief of Texas Council of Negro Organizations as amicus curiae in this case,

IT IS ORDERED by this Court that the said motion be, and it is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this motion.

John Howard Lawson,

Petitioner,

248 vs.

The United States of America; and

Dalton Trumbo,

Petitioner,

249 vs.

The United States of America.

ON CONSIDERATION of the motion of Osmond K. Fraenkel, et al. for leave to file brief as amici curiae on behalf of certain publishers, writers and play producers,

IT IS ORDERED by this Court that the said motion be, and it is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this motion.

Wong Yang Sung,

Petitioner,

154 vs.

J. Howard McGrath, Attorney General of the United States, et al.

ON CONSIDERATION of the motion of the Solicitor General of the United States to modify the judgment in this case,

IT IS ORDERED by this Court that the said motion be, and it is hereby, granted and the judgment is modified so as to provide for the release of the prisoner from custody under the order of deportation but without terminating petitioner's custody under the warrant of arrest issued by the Attorney General dated October 13, 1947.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas and Mr. Justice Clark took no part in the consideration or decision of this motion.

Louis A. Johnson, Secretary of Defense of the United States, et al.,

Petitioners,

306 vs.

Lothar Eisentrager, alias Ludwig Ehrhardt, etc.

ON CONSIDERATION of the motion of the Solicitor General of the United States to substitute certain parties petitioner,

IT IS ORDERED that the following substitutions be made among petitioners:

Gordon Gray, vice Kenneth C. Royall, as Secretary of the Army of the United States;

General Omar Bradley, Chairman, Joint Chiefs of Staff of the United States, vice Fleet Admiral William D. Leahy, formerly Chief of Staff to the Commander in Chief of the United States Army and Navy;

General J. Lawton Collins, vice General Omar Bradley, as Chief of Staff of the United States Army and member of the Joint Chiefs of Staff of the United States; and

Admiral Forrest P. Sherman, vice Admiral Louis E. Denfeld, as Chief of Naval Operations and member of the Joint Chiefs of Staff of the United States.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision

Elliott V. Bell, Superintendent of Banks
of the State of New York, etc.,

Petitioner,

512 vs.

Eugene T. Singer; and

Elliott V. Bell, Superintendent of Banks
of the State of New York, etc.,

Petitioner,

513 vs.

Banque Mellie Iran.

ON CONSIDERATION of the motion of counsel for the petitioner in these cases to substitute the party petitioner,

IT IS ORDERED by this Court that William A. Lyon, present Superintendent of Banks of the State of New York, be substituted as the party petitioner in place of Elliott V. Bell, resigned, and that the cases be so continued and maintained.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this order.

Eugene T. Singer,

Petitioner,

527 vs.

The Yokohama Specie Bank, Ltd., et al.; and

Banque Mellie Iran,

Petitioner,

528 vs.

Elliott V. Bell, Superintendent of Banks
of the State of New York, etc.

ON CONSIDERATION of the motion of counsel for the respondent, Superintendent of Banks, to substitute William A. Lyon in place of Elliott V. Bell,

IT IS ORDERED by this Court that William A. Lyon, present Superintendent of Banks of the State of New York, be substituted as a party respondent in these cases and that the cases be so continued and maintained.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this order.

Daniel Niemotko,

Appellant,

599 vs.

State of Maryland; and

Neil W. Kelley,

Appellant,

600 vs.

State of Maryland.

The statements of jurisdiction in these cases having been submitted and considered by the Court, probable jurisdiction is noted. The motion to consolidate is granted and the cases are ordered consolidated and transferred to the summary docket.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration of this question.

Edward L. Fogarty, as Trustee in Bankruptcy of the Inland Waterways, Inc.,

Petitioner,

551 vs.

The United States of America and Navy Department, War Contracts Relief Board.

Order allowing certiorari.

The petition herein for a writ of certiorari to the United States Court of Appeals for the Eighth Circuit is granted.

And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Bernice B. Peres, as Executrix Under the last will and testament of Rudolph J. Peres, deceased,

Petitioner,

558 vs.

The United States of America.

Order allowing certiorari.

The petition herein for a writ of certiorari to the United States Court of Appeals for the Second Circuit is granted.

And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Joint Anti-Fascist Refugee Committee, an Unincorporated Association,

Petitioner,

556 vs.

J. Howard McGrath, Attorney General of the United States, et al.

Order allowing certiorari.

The petition herein for a writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit is granted.

And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas and Mr. Justice Clark took no part in the consideration or decision of this application.

Arthur K. Jefferson,
Petitioner,
381, Misc. vs.
The United States of America.

On petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, granted. The case is ordered transferred to the appellate docket as No. 667 and assigned for argument immediately following No. 558, Feres vs. United States.

It is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

James Matthews, John Henry Nichols and John Henry Radney,
Petitioners,
496 vs.
The United States of America.

On petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Fifth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

J. H. Crain and R. E. Lee Wilson, Jr., Trustees of Lee Wilson and Company, a Business Trust,

Petitioners,

506 vs.

The United States.

On petition for writ of certiorari to the United States Court of Claims.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Claims, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

William MacDonald, James J. Coleman, R. E. MacDonald, et al., etc.,

Petitioners,

514 vs.

The United States.

On petition for writ of certiorari to the United States Court of Claims.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Claims, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Paramount Pictures, Inc., et al.,

Petitioners,

520 vs.

Harry Norman Ball.

On petition for writ of certiorari to the United States Court of Appeals for the Third Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Third Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Paramount Pictures, Inc., et al., Petitioners, vs. Harry Norman Ball. — On petition for writ of certiorari to the United States Court of Appeals for the Third Circuit.

521

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Third Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Paramount Pictures, Inc., et al., Petitioners, vs. Harry Norman Ball. — On petition for writ of certiorari to the United States Court of Appeals for the Third Circuit.

522

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Third Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Paramount Pictures, Inc., et al., Petitioners, vs. Harry Norman Ball. — On petition for writ of certiorari to the United States Court of Appeals for the Third Circuit.

523

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Third Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Paramount Pictures, Inc., et al., Petitioners,
524 vs.
Harry Norman Ball.

On petition for writ of certiorari to the United States Court of Appeals for the Third Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Third Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Orin C. Clement, Petitioner,
525 vs.
Tighe E. Woods, Housing Expediter, Office of the Housing Expediter.

On petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Sixth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Seaboard Air Line Railroad Company, Petitioner,
530 vs.
C. Prosser, Intendent, Odell Venters, et al., Wardens of the Town of Johnsonville.

On petition for writ of certiorari to the Supreme Court of the State of South Carolina.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of South Carolina, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

R. W. Pointer, doing business under the fictitious name and style of Pointer-Willamette Co.,

Petitioner,

537 vs.

Six Wheel Corporation.

On petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Ninth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

The People of the State of New York, ex rel. Hamportzoon Choolokian,

Petitioner,

538 vs.

The Mission of the Immaculate Virgin and John J. Corrigan, Executive Director, etc., et al.

On petition for writ of certiorari to the Court of Appeals of the State of New York.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Court of Appeals of the State of New York, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

The Blanchard Machine Company,

Petitioner,

540 vs.

Reconstruction Finance Corporation Price Adjustment Board.

On petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the District of Columbia Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Anne Vilbert de Sairigne, Petitioner,
541 vs.
Frank Jay Gould.

On petition for writ of certiorari to the United States Court of Appeals for the Second Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Second Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Jiffy Lubricator Company, Petitioner,
543 vs.
The Alemite Company.

On petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Eighth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Laurie J. Carpenter, Petitioner,
545 vs.
Erie Railroad Company.

On petition for writ of certiorari to the United States Court of Appeals for the Second Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Second Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Ernest Newton Kalb,
Petitioner,
549 vs.
Henry Feuerstein and Helen Feuerstein, secured creditors, and Oscar Jacobson, Trustee.

On petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Seventh Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Charlotte L. Block, Harold Block, Max N. Block, et al.,
Petitioners,
550 vs.
Detroit Harbor Terminals, Inc.

On petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Sixth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Joseph Sic,
Petitioner,
553 vs.
Commissioner of Internal Revenue.

On petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Eighth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Overlakes Freight Corporation,
Petitioner,
557 vs.
Elizabeth Murphy, Administratrix of the Goods, Chattels and Credits of Thomas Murphy, deceased.

On petition for writ of certiorari to the United States Court of Appeals for the Second Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Second Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

M. E. Trapp,
Petitioner,
560 vs.
The United States of America.

On petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Tenth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Helen Young,
Petitioner,
565 vs.
The United States of America.

On petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Ninth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Louis Mitchell, Ralph Lipscomb, Jack Crowley, et al., Petitioners,

566 vs.

White Consolidated, Inc.

On petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Seventh Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Jack F. Lyle, Petitioner,

567 vs.

The Atchison, Topeka and Santa Fe Railway Company, et al.

On petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Seventh Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Henry M. Beverage, Administrator of the Estate of Dennis Roscoe Beverage, deceased, et al., Petitioners,

569 vs.

Farm Bureau Mutual Automobile Insurance Company.

On petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Fourth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

L. N. Jackson and Co., Inc., Petitioner,

576 vs.

The Royal Norwegian Government.

On petition for writ of certiorari to the United States Court of Appeals for the Second Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Second Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Jacob Schoeps, Petitioner,

494 vs.

William A. Carmichael, District Director, Immigration and Naturalization Service, etc.

ON CONSIDERATION of the motion of counsel for petitioner to substitute the party respondent in this case,

IT IS ORDERED by this Court that H. R. Landon, present District Director, be substituted as the party respondent in place of William A. Carmichael and that the case be so continued and maintained.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this order.

Jacob Schoeps, Petitioner,

494 vs.

H. R. Landon, District Director, Immigration and Naturalization Service, etc.

On petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Ninth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Katherine Cohen and William Cohen,

Petitioners,

517 vs.

The United States of America.

ON CONSIDERATION of the motion to dispense with printing the petition, brief, and record in this case,

IT IS ORDERED by this Court that the said motion be, and it is hereby, granted.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this motion.

Katherine Cohen and William Cohen, Petitioners, 517 vs. The United States of America. On petition for writ of certiorari to the United States Court of Appeals for the Second Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Second Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Effie Emerson Walsh,

Petitioner,

578 vs.

Bernard A. Walsh.

ON CONSIDERATION of the motion to dispense with printing the record in this case,

IT IS ORDERED by this Court that the said motion be, and it is hereby, granted.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this motion.

Effie Emerson Walsh,

Petitioner,

578 vs.

Bernard A. Walsh.

On petition for writ of certiorari to the Supreme Court of the State of Louisiana.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of Louisiana, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Henry E. Jacobs, doing business as Henry E. Jacobs and Co.,

Petitioner,

607 vs.

Charles Peckat Manufacturing Company and Emma Peckat.

On petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Seventh Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Black is of the opinion certiorari should be granted.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Rosette Sorge Savorgnan,

Petitioner,

48 vs.

The United States of America, et al.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Joe T. Cawthorn,

Petitioner,

417 vs.

The United States of America.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Transport Trading and Terminal Corporation,

Petitioner,

505 vs.

Commissioner of Internal Revenue.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

O. O. Owens,

Petitioner,

508 vs.

The United States of America.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Harris Henry Horner,

Petitioner,

535 vs.

The United States.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Casper Crowe,

Petitioner,

90, Misc. vs.

The United States of America.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Sam Thompson,

Petitioner,

255, Misc. vs.

Browning Robinson, Warden.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

William Walter Avelino,

Petitioner,

287, Misc. vs.

Robert A. Heinze, Warden.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Julio Ramirez Perez,

Petitioner,

345, Misc. vs.

The People of the State of New York.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Norman J. Griffin,

Petitioner,

106, Misc. vs.

The United States of America.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Clark and Mr. Justice Douglas took no part in the consideration or decision of this application.

James D. Cameron,

Petitioner,

284, Misc.; 285, Misc.; and
303, Misc.

vs.

John Shahedy, et al.

ON CONSIDERATION of the petition for rehearing and of the motion for leave to file a petition for writ of mandamus,

IT IS ORDERED by this Court that the said petition for rehearing and motion for leave to file be, and they are hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of these applications.

Alex M. Ferguson, Temporary Administrator, etc., et al.,

Petitioners,

577, Misc. O. T. '48 vs.

James E. Ferguson.

A second petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

George Marion Wilfong,

Petitioner,

275, Misc. vs.

E. B. Swope, Warden.

On petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Ninth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Joseph J. Quinn, Petitioner, vs. State of New York.

On petition for writ of certiorari to the Court of Appeals of the State of New York.

345, Misc.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Court of Appeals of the State of New York, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Clark Campbell, Petitioner, vs. Stanley P. Ashe, Warden.

On petition for writ of certiorari to the Supreme Court of the Commonwealth of Pennsylvania.

333, Misc.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the Commonwealth of Pennsylvania, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

John Baker, Petitioner, vs. Commonwealth of Kentucky.

On petition for writ of certiorari to the Court of Appeals of the Commonwealth of Kentucky.

347, Misc.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Court of Appeals of the Commonwealth of Kentucky, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Milton Linnaberry, Petitioner, vs. State of Iowa.

368, Misc.

On petition for writ of certiorari to the Supreme Court of the State of Iowa.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of Iowa, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Otis Harrod, Petitioner, vs. Commonwealth of Kentucky.

377, Misc.

On petition for writ of certiorari to the Court of Appeals of the Commonwealth of Kentucky.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Court of Appeals of the Commonwealth of Kentucky, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

James H. Vermillion, Petitioner, vs. Eugene Meyer, et al.

378, Misc.

On petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the District of Columbia Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Robert L. Smith, Petitioner, vs. State of Arkansas. — On petition for writ of certiorari to the Supreme Court of the State of Arkansas.

380, Misc.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of Arkansas, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Oscar Patterson, Petitioner, vs. State of Georgia. — On petition for writ of certiorari to the Supreme Court of the State of Georgia.

393, Misc.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of Georgia, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Ex parte Sol Newstead, Petitioner.

351, Misc.

ON CONSIDERATION of the motion for leave to file a petition for writ of mandamus herein,

IT IS ORDERED by this Court that the said motion be, and it is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Mary A. Ruthven,

Petitioner,

371, Misc. vs.

Dr. Winfred Overholser, Superintendent.

ON CONSIDERATION of the motion for leave to file a petition for writ of habeas corpus herein,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

United States of America, ex rel.
Francis Monaghan,

Petitioner,

374, Misc. vs.

Cornelius J. Burke, Warden, etc.

ON CONSIDERATION of the motion for leave to file a petition for writ of certiorari in this case,

IT IS ORDERED by this Court that the said motion be, and it is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

B. E. Epperson,

Petitioner,

376, Misc. vs.

H. E. Moore, Warden, Texas State Prison.

ON CONSIDERATION of the motion for leave to file a petition for writ of habeas corpus herein,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

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ORDER

IT IS ORDERED by this Court that the bond of the Marshal, Thomas E. Waggaman, dated April 1, 1950, be, and the same is, this day approved and ordered to be recorded.

Per Mr. Chief Justice Vinson.

KNOW ALL MEN BY THESE PRESENTS: That THOMAS E. WAGGAMAN, of Alexandria, Virginia, as Principal, and THE FIDELITY AND CASUALTY COMPANY OF NEW YORK, as Surety, are held and firmly bound unto the UNITED STATES OF AMERICA in the penal sum of TWENTY THOUSAND DOLLARS ($20,000.00), lawful money of the United States to be paid to the said United States of America, or their certain attorney, which payment well and truly to be made, we bind ourselves, our and each of our heirs, executors, administrators, and assigns, firmly by these presents.

Sealed with our seals and dated this first day of April, 1950.

WHEREAS, the above bounden THOMAS E. WAGGAMAN, hath been appointed Marshal of the Supreme Court of the United States;

NOW, THEREFORE, the condition of the above obligation is such that if the said THOMAS E. WAGGAMAN shall faithfully discharge the duties of his said office, and shall well and faithfully keep, disburse, pay over, and account for, according to law, the moneys that may come into his hands as such Marshal aforesaid, then this obligation to be void, otherwise to remain in full force and virtue in law.

WITNESSES:

/s/ T. Perry Lippitt

/s/ Edgar K. Legg, 3rd

/s/ Thomas E. Waggaman

THE FIDELITY AND CASUALTY COMPANY OF NEW YORK

By /s/ Lee A. Glascock (SEAL)
Lee A. Glascock - Attorney

The within and foregoing bond is hereby approved as to form, the sufficiency of the amount thereof and the sufficiency of the Surety thereon.

/s/ Fred M. Vinson
Chief Justice of the United States.

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Mr. Justice Douglas took no part in the consideration or decision of the cases in which judgments or orders are this day announced.

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The Court will take a recess from today until Monday, March 27, next.

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Proclamation being made the Court is adjourned until Monday, March 27, next, at 12 o'clock.

MONDAY, MARCH 27, 1950.

Pursuant to adjournment the Court met at the Supreme Court Building.

PRESENT:

The Honorable Fred M. Vinson, Chief Justice,
Hugo L. Black,
Stanley Reed,
Felix Frankfurter,
William O. Douglas,
Robert H. Jackson,
Harold H. Burton,
Tom C. Clark,
Sherman Minton,
Associate Justices,

Thomas Ennalls Waggaman, Esquire, Marshal,

Charles Elmore Cropley, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Solicitor General Philip B. Perlman, It is ordered that Arthur B. Cunningham, Esquire, of Alexandria, Commonwealth of Virginia, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Paul J. Kilday, It is ordered that Guy P. Allison, Esquire, of San Antonio, State of Texas, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Brooks Hays, It is ordered that Charles L. Carpenter, Esquire, of North Little Rock, State of Arkansas, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Jas. C. Davis, It is ordered that Allen Lumpkin Henson, Esquire, of Atlanta, State of Georgia, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Cullen R. Liskow, It is ordered that Wade W. Thompson, Esquire, of Lake Charles, State of Louisiana, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Charles P. Franchot, It is ordered that Irving I. Schachtel, Esquire, of New York, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Hale Boggs, It is ordered that Harry Nowalsky, Esquire, of New Orleans, State of Louisiana, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. John Sparkman, It is ordered that Roger Austin Prestwood, Esquire, of Washington, District of Columbia, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. J. Edgar Murdock, It is ordered that Carroll Caruthers, Esquire, of Greensburg, Commonwealth of Pennsylvania, and Thomas Gallagher Taylor, Esquire, of Greensburg, Commonwealth of Pennsylvania, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Clyde T. Ellis, It is ordered that Cecil R. Harrison, Esquire, of Judsonia, State of Arkansas, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Lawrence J. Bernard, It is ordered that Albert Michelson, Esquire, of San Francisco, State of California, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Simon M. Seley, It is ordered that Paul de Hagara, Esquire, of Newark, State of New Jersey, and Richard E. Seley, Esquire, of Newark, State of New Jersey, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Daniel F. Boone, It is ordered that Fred C. Philby, Esquire, of Louisville, Commonwealth of Kentucky, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Errett G. Smith, It is ordered that Francis Heisler, Esquire, of Chicago, State of Illinois, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Max L. Feinberg, It is ordered that Bernard Epstein, Esquire, of Chicago, State of Illinois, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Roy C. Hackley, Jr., It is ordered that Robert William Zivnuska, Esquire, of Berkeley, State of California, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Harold F. Watson, It is ordered that Andrew Kip Foulds, Esquire, of Pittsburgh, Commonwealth of Pennsylvania, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Lloyd W. Patch, It is ordered that Townsend F. Beaman, Esquire, of Jackson, State of Michigan, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Northcutt Ely, It is ordered that William Brown Himrod, Esquire, of Los Angeles, State of California, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Aaron Alvis Layne, Jr., It is ordered that James R. Shick, Esquire, of Forest Grove, State of Oregon, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. William Lawrence McGovern, It is ordered that Bert B. Rand, Esquire, of Philadelphia, Commonwealth of Pennsylvania, and Lester H. Marks, Esquire, of New York, State of New York, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

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Standard-Vacuum Oil Company, Petitioner, vs. The United States. 18

On writ of certiorari to the Court of Claims.

THIS CAUSE came on to be heard on the transcript of the record from the Court of Claims, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is ordered and adjudged by this Court that the judgment of the said Court of Claims in this cause, be, and the same is hereby, vacated and cause remanded. The Court of Claims may permit further pleadings if in the court's discretion such further pleadings seem proper and just. If permission to plead further is denied, or if petitioner fails to plead further should permission be granted, the cause shall be dismissed.

Per Mr. Justice Minton.

Mr. Justice Douglas took no part in the consideration or decision of this case.

Eugene Dennis,

Petitioner,

14 vs.

The United States of America.

On writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit.

THIS CAUSE came on to be heard on the transcript of the record from the United States Court of Appeals for the District of Columbia Circuit, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is now here ordered and adjudged by this Court that the judgment of the said United States Court of Appeals, in this cause, be, and the same is hereby, affirmed; and that this cause be, and the same is hereby, remanded to the United States District Court for the District of Columbia.

Per Mr. Justice Minton.

Mr. Justice Reed concurs in the opinion and judgment.
Opinion by Mr. Justice Jackson concurring in the result.
Dissenting opinion by Mr. Justice Black.
Dissenting opinion by Mr. Justice Frankfurter.

Mr. Justice Douglas and Mr. Justice Clark took no part in the consideration or decision of this case.

The United States of America and Interstate Commerce Commission,

Appellants,

173 vs.

The United States Smelting Refining and Mining Company, et al.

Appeal from the United States District Court for the District of Utah.

THIS CAUSE came on to be heard on the transcript of the record from the United States District Court for the District of Utah, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is ordered, adjudged, and decreed by this Court that the decree of the said District Court in this cause be, and the same is hereby, reversed; and that this cause be, and the same is hereby, remanded to the District Court for proceedings in conformity with the opinion of this Court.

Per Mr. Justice Minton.

Dissenting: Mr. Justice Jackson.

Mr. Chief Justice Vinson and Mr. Justice Douglas took no part in the consideration or decision of this case.

Railway Labor Executives' Association, Appellant, vs. The United States of America, Interstate Commerce Commission, City of New Orleans, Louisiana, et al. — Appeal from the United States District Court for the District of Columbia.

337

THIS CAUSE came on to be heard on the transcript of the record from the United States District Court for the District of Columbia, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is ordered, adjudged, and decreed by this Court that the decree of the said District Court in this cause be, and the same is hereby, reversed; and that this cause, be, and the same is hereby, remanded to the District Court with directions to remand to the Interstate Commerce Commission for further proceedings in conformity with the opinion of this Court.

Per Mr. Justice Burton.

Dissenting: Mr. Justice Jackson.

Dissenting opinion by Mr. Justice Frankfurter in which Mr. Justice Reed joins.

Mr. Chief Justice Vinson and Mr. Justice Douglas took no part in the consideration or decision of this case.

The United States, Petitioner, vs. Commodities Trading Corporation, et al.; and Commodities Trading Corporation, et al., Petitioners, vs. The United States. — On writs of certiorari to the Court of Claims.

156

163

THIS CAUSE came on to be heard on the transcript of the record from the Court of Claims, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is ordered and adjudged by this Court that the judgment of the said Court of Claims in this cause, be, and the same

is hereby, reversed; and that this cause, be, and the same is hereby, remanded to the Court of Claims with directions to enter an appropriate judgment based on the maximum ceiling price of the pepper at the time it was taken.

Per Mr. Justice Black.

Opinion by Mr. Justice Frankfurter dissenting in part.

Dissenting opinion by Mr. Justice Jackson.

Mr. Chief Justice Vinson and Mr. Justice Douglas took no part in the consideration or decision of this case.

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The Chief Justice announced the following order of the Court:

A. H. Stone, Chairman of the State Tax Commission,

Appellant,

vs.

Reichman-Crosby Company.

Appeal from the Supreme Court of the State of Mississippi.

653

THIS CAUSE came on to be heard on the transcript of the record from the Supreme Court of the State of Mississippi, and on motion to dismiss, which was duly submitted.

ON CONSIDERATION WHEREOF, It is now here ordered by this Court that the motion to dismiss the appeal herein be, and the same is hereby, granted.

IT IS FURTHER ORDERED that the appeal herein be, and the same is hereby, dismissed for the want of jurisdiction.

Per Mr. Chief Justice Vinson.

A. H. Stone, Chairman of the State Tax Commission,

Appellant,

653 vs.

Reichman-Crosby Company.

Appeal from the Supreme Court of the State of Mississippi.

TREATING the appeal papers herein from the Supreme Court of the State of Mississippi as an application for a writ of certiorari;

ON CONSIDERATION WHEREOF, it is ordered by this Court that the said application for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

The Chief Justice said:

"The other orders of the Court appear upon the list certified by the Chief Justice and filed with the Clerk and will not be announced orally."

Travelers Health Association and R. E. Pratt, as Treasurer, etc.,

Appellants,

76 vs.

Commonwealth of Virginia, at the relation of State Corporation Commission.

This case is ordered restored to the docket and assigned for re-argument on Monday, April 17, next. The case is transferred to the summary docket.

Per Mr. Chief Justice Vinson.

The United States of America, et al.,

Appellants,

173 vs.

United States Smelting Refining and Mining Company, et al.

ON CONSIDERATION of the motion for leave to file supplemental memorandum of American Smelting and Refining Company in this case,

IT IS ORDERED by this Court that the said motion be, and it is hereby, granted.

Per Mr. Justice Black.

Mr. Chief Justice Vinson and Mr. Justice Douglas took no part in the consideration or decision of this application.

Automatic Radio Manufacturing Company, Inc.,

Petitioner,

455 vs.

Hazeltine Research, Inc.

ON CONSIDERATION of the motion for leave to file brief of Edwin H. Armstrong as amicus curiae in this case,

IT IS ORDERED by this Court that the said motion be, and it is hereby, denied.

Per Mr. Chief Justice Vinson.

William A. Lyon, Superintendent of Banks of the State of New York, etc.,

Petitioner,

512 vs.

Eugene T. Singer;

Eugene T. Singer,

Petitioner,

527 vs.

The Yokohama Specie Bank, Ltd., et al.;

William A. Lyon, Superintendent of Banks of the State of New York, etc.,

Petitioner,

513 vs.

Banque Mellie Iran; and

Banque Mellie Iran,

Petitioner,

528 vs.

William A. Lyon, Superintendent of Banks of the State of New York, etc.

ON CONSIDERATION of the motion of the Solicitor General of the United States for leave to appear and participate in the oral argument as amicus curiae in these cases,

IT IS ORDERED by this Court that the said motion be, and it is hereby, granted.

Per Mr. Chief Justice Vinson.

The United States of America and Interstate Commerce Commission,

Appellants,

654 vs.

Rock Island Motor Transit Company, et al.

The statement of jurisdiction in this case having been submitted and considered by the Court, probable jurisdiction is noted and the case is transferred to the summary docket.

Per Mr. Chief Justice Vinson.

Cornelia Harris, Order allowing certiorari.

Petitioner,

596 vs.

Commissioner of Internal Revenue.

The petition herein for a writ of certiorari to the United States Court of Appeals for the Second Circuit is granted, limited to Questions 2 and 3 presented by the petition for the writ.

And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

State of Missouri, ex rel. Southern Railway Company,

Petitioner,

597 vs.

Waldo C. Mayfield, Judge of the Circuit Court of the City of St. Louis, Missouri, etc.

Order allowing certiorari.

The petition herein for a writ of certiorari to the Supreme Court of the State of Missouri is granted. The case is transferred to the summary docket.

And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

State of Missouri, ex rel. Atchison, Topeka and Santa Fe Railway Company,

Petitioner,

598 vs.

David J. Murphy, Judge of the Circuit Court of the City of St. Louis, Missouri, etc.

Order allowing certiorari.

The petition herein for a writ of certiorari to the Supreme Court of the State of Missouri is granted. The case is transferred to the summary docket.

And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

Edith Church,

Petitioner,

499 vs.

The People of the State of Michigan.

On petition for writ of certiorari to the Supreme Court of the State of Michigan.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of Michigan, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Standard Commercial Tobacco Company and Standard Commercial Steamship Corp., Petitioners,

561 vs.

John W. Snyder, Secretary of the Treasury and United States of America.

On petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the District of Columbia Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Irvin Winkler, Stanley Askin, Harold Buchman, et al., Petitioners,

572 vs.

State of Maryland.

On petition for writ of certiorari to the Court of Appeals of the State of Maryland.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Court of Appeals of the State of Maryland, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Atlantic Coast Line Railroad Company, Petitioner,

573 vs.

Alton Joseph Scarborough, Jr.

On petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Fourth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Piedmont Cotton Mills, Petitioner, vs. Commissioner of Internal Revenue. 574

On petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Fifth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

R. E. Conner, et al., Petitioners, vs. The Pennsylvania Railroad Company, et al. 575

On petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the District of Columbia Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

The Pennsylvania Railroad Company, Petitioner, vs. R. E. Conner, et al. 645

On petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the District of Columbia Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Brotherhood of Railroad Trainmen, et al., Petitioners,
646 vs.
R. E. Conner, et al.

On petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the District of Columbia Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Hartford Fire Insurance Company, Petitioner,
577 vs.
Domenico Roberto and Vincenzo Ammirati.

On petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Seventh Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Waialua Agricultural Company, Limited, Petitioner,
588 vs.
Ciraco Maneja, et al.

On petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Ninth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

American Bantam Car Company, Petitioner,
589 vs.
Commissioner of Internal Revenue.

On petition for writ of certiorari to the United States Court of Appeals for the Third Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Third Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mary Elizabeth Lee, et al., Petitioners,
602 vs.
Pan American Airways, Inc.

On petition for writ of certiorari to the Supreme Court of New York, County of Westchester.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of New York, County of Westchester, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Phil S. Cohen, alias P. H. Phillips, and Leo Escovitch, alias Leo Esco, Petitioners,
605 vs.
The United States of America.

On petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Sixth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Dorothy May Arnold Davis,
Petitioner,
612 vs.
Gretchen A. Prose, and The United States of America.

On petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Seventh Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

William R. Mestice,
Petitioner,
552 vs.
Anthony Masi.

ON CONSIDERATION of the motion to dispense with printing the record and of the motion for leave to file a substituted petition for writ of certiorari in this case,

IT IS ORDERED by this Court that the said motions be, and they are hereby, granted.

Per Mr. Chief Justice Vinson.

William R. Mestice,
Petitioner,
552 vs.
Anthony Masi.

On petition for writ of certiorari to the Supreme Court of the State of New Jersey.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of New Jersey, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Samuel Harold Litton,

Petitioner,

564 vs.

The United States of America.

ON CONSIDERATION of the motion to dispense with printing the petition, brief, and record in this case,

IT IS ORDERED by this Court that the said motion be, and it is hereby, granted.

Per Mr. Chief Justice Vinson.

Samuel Harold Litton,

Petitioner,

564 vs.

The United States of America.

On petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Eighth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

George W. Solesbee,

Appellant,

77 vs.

R. P. Balkcom, Jr., Warden of the State Penitentiary, Tattnall, Georgia.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Louise M. Wissner and Leandous H. Wissner,

Appellants,

119 vs.

Margaret Wissner.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

National Maritime Union of America, Affiliated with the Congress of Industrial Organizations, et al.,

Petitioners,

488 vs.

National Labor Relations Board.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Fred Tate,

Petitioner,

301, Misc. vs.

Robert A. Heinze, Warden.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

John O. Story,

Petitioner,

316, Misc. vs.

C. P. Burford, Warden.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Salvatore Stizza,

Petitioner,

76, Misc. O.T. '45 vs.

Essex County Juvenile and Domestic Relations Court.

A second petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

John Harry McGough and Meyer Joseph Cohen,

Petitioners,

166, Misc. vs.

William H. Hiatt, Warden.

On petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Fifth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

William Edward Alred, Petitioner, vs. The United States of America. 170, Misc. — On petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Fourth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Wentworth Crombie, Petitioner, vs. Joseph E. Ragen, Warden. 202, Misc. — On petition for writ of certiorari to the Supreme Court of the State of Illinois.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of Illinois, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Wentworth Crombie, Petitioner, vs. Joseph E. Ragen, Warden. 207, Misc. — On petition for writ of certiorari to the Circuit Court of Will County of the State of Illinois.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Circuit Court of Will County of the State of Illinois, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

People of the State of Illinois, ex rel. Tony Marino,
Petitioner,
221, Misc. vs.
Joseph E. Ragen, Warden.

On petition for writ of certiorari to the Supreme Court of the State of Illinois.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of Illinois, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Tony Marino,
Petitioner,
222, Misc. vs.
State of Illinois.

On petition for writ of certiorari to the Supreme Court of the State of Illinois.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of Illinois, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

James P. S. Kelly,
Petitioner,
246, Misc. vs.
The District Commandant, United States Navy, et al.

On petition for writ of certiorari to the United States Court of Appeals for the Second Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Second Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Jesse Edward James, Jr., etc., Petitioner, vs. The United States of America. 261, Misc.

On petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Fifth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Leon Jones, Petitioner, vs. The United States of America. 264, Misc.

On petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Fifth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

John Henry Kinney, Petitioner, vs. The United States of America. 265, Misc.

On petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Tenth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Jack Gibson Moss, Petitioner, vs. The United States of America.

276, Misc.

On petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Tenth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

W. T. Holt, Petitioner, vs. The United States of America.

278, Misc.

On petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Tenth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Winnie de Long Clark, Petitioner, vs. The Order of United Commercial Travelers of America.

302, Misc.

On petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Fifth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

George H. Robinson, Petitioner, vs. The United States of America. — On petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit.

305, Misc.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Fifth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Harold O. Royal, Petitioner, vs. Edna E. Royal. — On petition for writ of certiorari to the Probate Court of the County of Norfolk, Commonwealth of Massachusetts.

315, Misc.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Probate Court of the County of Norfolk, Commonwealth of Massachusetts, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Agnes Catherine Marron, Administratrix, Petitioner, vs. Atlantic Refining Company. — On petition for writ of certiorari to the United States Court of Appeals for the Third Circuit.

317, Misc.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Third Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

William Baumet, Petitioner, vs. The United States of America, et al. — On petition for writ of certiorari to the United States Court of Appeals for the Second Circuit.

331, Misc.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Second Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Henry Hawk, Petitioner, vs. State of Nebraska. — On petition for writ of certiorari to the Supreme Court of the State of Nebraska.

344, Misc.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of Nebraska, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Fred Wilson, Petitioner, vs. Joseph E. Ragen, Warden. — On petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit.

346, Misc.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Seventh Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Robert G. Dalton and John C. Dalton, Petitioners,
348, Misc. vs.
State of Florida.

On petition for writ of certiorari to the Supreme Court of the State of Florida.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of Florida, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Joseph C. Fredrick, Petitioner,
352, Misc. vs.
Ralph M. Eidson, Warden.

On petition for writ of certiorari to the Supreme Court of the State of Missouri.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of Missouri, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Jesse Brooks, Petitioner,
355, Misc. vs.
Joseph E. Ragen, Warden.

On petition for writ of certiorari to the Criminal Court of Cook County, of the State of Illinois.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Criminal Court of Cook County of the State of Illinois, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Paul Null, Petitioner, 358, Misc. vs. State of Michigan.

On petition for writ of certiorari to the Supreme Court of the State of Michigan.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of Michigan, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Harry Meyers, Petitioner, 361, Misc. vs. Joseph E. Ragen, Warden.

On petition for writ of certiorari to the Circuit Court of Will County of the State of Illinois, and the Supreme Court of Illinois.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Circuit Court of Will County of the State of Illinois, and the Supreme Court of Illinois, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Henry Schectman, Petitioner, 362, Misc. vs. John P. Foster, Warden.

On petition for writ of certiorari to the United States Court of Appeals for the Second Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Second Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Derwood L. Treadway, Petitioner, vs. Vernon A. Morhous, Warden. — On petition for writ of certiorari to the Supreme Court of the State of New York.

363, Misc.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of New York, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Ronald Borday, Petitioner, vs. Cornelius J. Burke, Warden. — On petition for writ of certiorari to the Supreme Court of the Commonwealth of Pennsylvania.

367, Misc.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the Commonwealth of Pennsylvania, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Henry Moore, Petitioner, vs. People of the State of Illinois. — On petition for writ of certiorari to the Supreme Court of the State of Illinois.

369, Misc.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of Illinois, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

David Almeida, Petitioner, vs. Commonwealth of Pennsylvania.
373, Misc.

On petition for writ of certiorari to the Supreme Court of the Commonwealth of Pennsylvania.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the Commonwealth of Pennsylvania, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Basil McCullough, Petitioner, vs. State of New York.
383, Misc.

On petition for writ of certiorari to the Supreme Court of the State of New York.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of New York, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Leonard Novak, Petitioner, vs. Commonwealth of Pennsylvania.
386, Misc.

On petition for writ of certiorari to the Supreme Court of the Commonwealth of Pennsylvania.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the Commonwealth of Pennsylvania, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Enos Wicks,
Petitioner,
389, Misc. vs.
Supreme Court of Indiana.

On petition for writ of certiorari to the Supreme Court of the State of Indiana.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of Indiana, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Arthur William Nonn,
Petitioner,
394, Misc. vs.
People of the State of Michigan, et al.

On petition for writ of certiorari to the Supreme Court of the State of Michigan.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of Michigan, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Roy Bute,
Petitioner,
395, Misc. vs.
Joseph E. Ragen, Warden.

On petition for writ of certiorari to the Circuit Court of Will County, of the State of Illinois.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Circuit Court of Will County of the State of Illinois, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Everett Rheim, Petitioner,
397, Misc. vs.
John A. Lyons, Commissioner.

On petition for writ of certiorari to the Court of Appeals of the State of New York.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Court of Appeals of the State of New York, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Charles Tanthorey, Petitioner,
398, Misc. vs.
Joseph E. Ragen, Warden.

On petition for writ of certiorari to the Supreme Court of the State of Illinois.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of Illinois, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Charles Skinner, Petitioner,
401, Misc. vs.
Browning Robinson, Warden.

On petition for writ of certiorari to the Circuit Court of Randolph County of the State of Illinois.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Circuit Court of Randolph County of the State of Illinois, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Herbert Taylor, Petitioner, vs. Joseph E. Ragen, Warden.

402, Misc.

On petition for writ of certiorari to the Circuit Court of Will County of the State of Illinois.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Circuit Court of Will County of the State of Illinois, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Frank Valecek, Petitioner, vs. The People of the State of Illinois.

403, Misc.

On petition for writ of certiorari to the Supreme Court of the State of Illinois.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of Illinois, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

James J. Plaine, Petitioner, vs. C. P. Burford, Warden.

405, Misc.

On petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Tenth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

William Stevens, Petitioner, vs. Joseph E. Ragen, Warden. — On petition for writ of certiorari to the Criminal Court of Cook County of the State of Illinois.

409, Misc.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Criminal Court of Cook County of the State of Illinois, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Henry Marks, Petitioner, vs. Joseph E. Ragen, Warden. — On petition for writ of certiorari to the Circuit Court of Randolph County of the State of Illinois.

356, Misc.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Circuit Court of Randolph County of the State of Illinois, It is ordered by this Court that the said petition be, and the same is hereby, denied, without consideration of the questions raised therein and without prejudice to the institution by petitioner of proceedings in any Illinois state court of competent jurisdiction under the Act of August 4, 1949, entitled: "An Act to provide a remedy for persons convicted and imprisoned in the penitentiary, who assert that rights guaranteed them by the Constitution of the United States or the State of Illinois, or both, have been denied or violated, in proceedings in which they were convicted."

Per Mr. Chief Justice Vinson.

Hampton James, Petitioner, vs. Joseph E. Ragen, Warden. — On petition for writ of certiorari to the Criminal Court of Cook County of the State of Illinois.

404, Misc.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Criminal Court of Cook County of the State of Illinois, It is ordered

by this Court that the said petition be, and the same is hereby, denied, without consideration of the questions raised therein and without prejudice to the institution by petitioner of proceedings in any Illinois state court of competent jurisdiction under the Act of August 4, 1949, entitled: "An Act to provide a remedy for persons convicted and imprisoned in the penitentiary, who assert that rights guaranteed them by the Constitution of the United States or the State of Illinois, or both, have been denied or violated, in proceedings in which they were convicted."

Per Mr. Chief Justice Vinson.

Melville Lee Wagner,

Petitioner,

360, Misc. vs.

State of Louisiana.

ON CONSIDERATION of the motion for leave to file a petition for writ of habeas corpus herein,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Francis Haines;

Petitioner,

366, Misc. vs.

Joseph E. Ragen, Warden.

ON CONSIDERATION of the motion for leave to file a petition for writ of habeas corpus herein,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Bruce Pierce,

Petitioner,

385, Misc. vs.

John R. Cranor, Superintendent.

ON CONSIDERATION of the motion for leave to file a petition for writ of habeas corpus herein,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Earl W. Taylor,

Petitioner,

408, Misc. vs.

P. J. Squier, Warden.

ON CONSIDERATION of the motion for leave to file a petition for writ of habeas corpus herein,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Max Philip Couture,

Petitioner,

407, Misc. vs.

John R. Cranor, Superintendent.

ON CONSIDERATION of the motion for leave to file a petition for writ of certiorari in this case,

IT IS ORDERED by this Court that the said motion be, and it is hereby, denied.

Per Mr. Chief Justice Vinson.

In the Matter of the Petition of
Thomas J. O'Neill.

459, Misc.

ON CONSIDERATION of the petition submitted herein by Thomas J. O'Neill,

IT IS ORDERED by this Court that the said petition be, and it is hereby, denied.

Per Mr. Chief Justice Vinson.

American President Lines, Ltd.,

Petitioner,

583 vs.

Augustus Federer, et al.

ON CONSIDERATION of the motion of counsel for the respondents,

IT IS ORDERED by this Court that the time within which to file response to the petition for writ of certiorari in this case, be, and it is hereby, extended to and including April 20, 1950.

Per Mr. Chief Justice Vinson.

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The United States of America,

Plaintiff,

12, Original vs.

The State of Louisiana.

Four hours allowed for oral argument. Argued on motion for judgment by Mr. Solicitor General Perlman for the plaintiff; and by Mr. Cullen R. Liskow and Mr. L. H. Perez for the defendant.

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Proclamation being made the Court is adjourned until tomorrow at 12 o'clock.

TUESDAY, MARCH 28, 1950.

Pursuant to adjournment the Court met at the Supreme Court Building.

PRESENT:

The Honorable Fred M. Vinson, Chief Justice,
Hugo L. Black,
Stanley Reed,
Felix Frankfurter,
William O. Douglas,
Robert H. Jackson,
Harold H. Burton,
Tom C. Clark,
Sherman Minton,
Associate Justices,
Thomas Ennalls Waggaman, Esquire, Marshal,
Charles Elmore Cropley, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Attorney General J. Howard McGrath, It is ordered that William E. Powers, Esquire, of Cumberland, State of Rhode Island, and Stephen A. Fanning, Esquire, of Cumberland, State of Rhode Island, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Solicitor General Philip B. Perlman, It is ordered that Leonard J. Roach, Esquire, of Los Angeles, State of California, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Marian Wood, It is ordered that Nicholas Pellegrini, Esquire, of Brooklyn, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Ellsworth C. Alvord, It is ordered that Leo Tillman Norville, Esquire, of Chicago, State of Illinois, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Robert Harris Gamble, It is ordered that Gerard J. Sheehan, Esquire, of New York, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Edmund Elliott Shepherd, It is ordered that Ralph E. Hughes, Esquire, of Lansing, State of Michigan, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Kenneth G. Heisler, It is ordered that Robert W. Brown, Esquire, of Sioux City, State of Iowa, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

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The United States of America,

Plaintiff,

13, Original vs.

The State of Texas.

Four hours allowed for oral argument. Argument on the motion for judgment commenced by Mr. Solicitor General Perlman for the plaintiff, continued by Mr. Price Daniel and Mr. J. Chrys Dougherty for the defendant, and concluded by Mr. Solicitor General Perlman for the plaintiff.

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Proclamation being made the Court is adjourned until tomorrow at 12 o'clock.

Pursuant to adjournment the Court met at the Supreme Court Building.

PRESENT:

The Honorable Fred M. Vinson, Chief Justice,
Hugo L. Black,
Stanley Reed,
Felix Frankfurter,
William O. Douglas,
Robert H. Jackson,
Harold H. Burton,
Tom C. Clark,
Sherman Minton.
Associate Justices,

Thomas Ennalls Waggaman, Esquire, Marshal,

Charles Elmore Cropley, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Hale Boggs, It is ordered that Albert Berthold Heitz, Esquire, of New Orleans, State of Louisiana, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Linton M. Collins, It is ordered that Roswell Perry Rosengren, Esquire, of Buffalo, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Robert Mandel, It is ordered that Morris Berick, Esquire, of Cleveland, State of Ohio, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Estes Kefauver, It is ordered that Hal D. Kerr, Esquire, of Cleveland, State of Tennessee, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Odell Kominers, It is ordered that James E. Bennet, Jr., Esquire, of New York, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Wilton H. Wallace, It is ordered that John Alan Appleman, Esquire, of Urbana, State of Illinois, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. James A. Murray, It is ordered that Luke R. Lamb, Esquire, of Washington, District of Columbia, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Glenn F. Morgan, It is ordered that Charles A. Rothman, Esquire, of Philadelphia, Commonwealth of Pennsylvania; Thomas I. Guerin, Esquire, of Philadelphia, Commonwealth of Pennsylvania; and Emanuel Leof, Esquire, of Philadelphia, Commonwealth of Pennsylvania, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

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Clifford Dwane Helm,

Petitioner,

571 vs.

State of Nevada.

ON CONSIDERATION of the motion of counsel for the respondent,

IT IS ORDERED by this Court that the time within which to file brief in response to the petition for writ of certiorari in this case be, and it is hereby, extended to April 24, 1950.

Per Mr. Chief Justice Vinson.

The United States,

Petitioner,

vs.

Kansas City Life Insurance Company.

Reargued by Mr. Marvin J. Sonosky for the petitioner and by Mr. Stanley Bassett for the respondent.

The United States,

Petitioner,

vs.

Gerlach Live Stock Company;

The United States,

Petitioner,

vs.

J. Sheldon Potter;

The United States,

Petitioner,

vs.

Martin Erreca;

The United States,

Petitioner,

vs.

James J. Stevinson (a Corporation);

The United States,

Petitioner,

vs.

Archibald J. Stevinson; and

The United States,

Petitioner,

9 vs.

3-H Securities Company.

Reargument commenced by Mr. Ralph S. Boyd for petitioners and continued by Mr. Edward J. Treadwell for the respondents.

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Proclamation being made the Court is adjourned until tomorrow at 12 o'clock.

Pursuant to adjournment the Court met at the Supreme Court Building.

PRESENT:

The Honorable Fred M. Vinson, Chief Justice,
Hugo L. Black,
Stanley Reed,
Felix Frankfurter,
William O. Douglas,
Robert H. Jackson,
Harold H. Burton,
Tom C. Clark,
Sherman Minton,
Associate Justices,

Thomas Ennalls Waggaman, Esquire, Marshal,

Charles Elmore Cropley, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Henry P. Chandler, It is ordered that William J. Gleason, Esquire, of Harvard, State of Illinois, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Randolph C. Shaw, It is ordered that Charles W. Wilkinson, Esquire, of Pearisburg, Commonwealth of Virginia, and Anthony J. Race, Esquire, of Arlington, Commonwealth of Virginia, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. P. Trowbridge vom Baur, It is ordered that Reuben Sirlin, Esquire, of Mamaroneck State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Herbert G. Pillen, It is ordered that John H. Lewis, Esquire, of Columbus, State of Ohio, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Ralph S. Boyd, It is ordered that Samuel Markle, Esquire, of New York, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

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The United States,

Petitioner,

4 vs.

Gerlach Live Stock Company;

The United States,

Petitioner,

5 vs.

J. Sheldon Potter;

The United States,

Petitioner,

6 vs.

Martin Erreca;

The United States,

Petitioner,

7 vs.

James J. Stevinson (a Corporation);

The United States,

Petitioner,

8 vs.

Archibald J. Stevinson; and

The United States,

Petitioner,

9 vs.

3-H Securities Company.

Reargument concluded by Mr. Warner W. Gardner for Gill, et al., as amici curiae, by special leave of Court.

Graver Tank and Manufacturing Co., Inc., et al.,

Petitioners,

2 vs.

The Linde Air Products Company.

Argued on rehearing by Mr. Thomas V. Koykka for the petitioners and by Mr. John T. Cahill and Mr. Richard R. Wolfe for the respondent.

The International Union of United Automobile, Aircraft, and Agricultural Implement Workers of America, C. I. O., et al.,

Appellants,

456 vs.

Gerald K. O'Brien, Wayne County Prosecuting Attorney, et al.

Argued by Mr. Joseph L. Rauh, Jr., for the appellants, by Mr. David P. Findling for the National Labor Relations Board, as amicus curiae, by special leave of Court; and by Mr. Edmund E. Shepherd for the appellees. Leave granted appellees to file brief within 10 days if so advised.

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Proclamation being made the Court is adjourned until tomorrow at 12 o'clock.

Pursuant to adjournment the Court met at the Supreme Court Building.

PRESENT:

The Honorable Fred M. Vinson, Chief Justice,
Hugo L. Black,
Stanley Reed,
William O. Douglas,
Robert H. Jackson,
Harold H. Burton,
Tom C. Clark,
Sherman Minton. Associate Justices,

Thomas Ennalls Waggaman, Esquire, Marshal,

Charles Elmore Cropley, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Gale P. Gotschall, It is ordered that Beatrice E. Packard, of Brooklyn, State of New York; John A. Rullo, Esquire, of Brooklyn, State of New York; and Daniel E. Mulhern, Esquire, of New York, State of New York, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly. (Miss)

On motion first made to the Court in this behalf by Mr. Louis F. Oberdorfer, It is ordered that Carolyn E. Agger, of Washington, District of Columbia, be admitted to practice as an Attorney and Counsellor of this Court, and she was sworn accordingly. (Miss)

On motion first made to the Court in this behalf by Mr. Leo A. Rosetta, It is ordered that Fred A. Potruch, Esquire, of Los Angeles, State of California, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. James J. Lenihan, It is ordered that Thos. N. Griggs, Esquire, of Pittsburgh, Commonwealth of Pennsylvania, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

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James Rogers,

Petitioner,

635 vs.

The United States of America;

Irving Blau,

Petitioner,

636 vs.

The United States of America;

Arthur Bary,

Petitioner,

637 vs.

The United States of America;

Paul Meir Kleinbord,

Petitioner,

638 vs.

The United States of America;

Tracy Roy Rogers,

Petitioner,

639 vs.

The United States of America; and

Patricia Blau,

Petitioner,

640 vs.

The United States of America.

ON CONSIDERATION of the motion of counsel for the respondent,

IT IS ORDERED by this Court that the time within which to file brief in response to the petition for writs of certiorari in these cases be, and it is hereby, extended to May 2, 1950.

Per Mr. Chief Justice Vinson.

Standard Oil Company of New Jersey,

Petitioner,

663 vs.

The United States of America, as Owner, etc.; and

Standard Oil Company of New Jersey, as Owner, etc.,

Petitioner,

664 vs.

The United States of America.

ON CONSIDERATION of the motion of counsel for respondents,

IT IS ORDERED by this Court that the time within which to file brief in response to the petition for writs of certiorari in these cases be, and it is hereby, extended to May 15, 1950.

Per Mr. Chief Justice Vinson.

The United States of America,

Appellant,

428 vs.

National Association of Real Estate Boards, Washington Real Estate Board, et al.

Three hours allowed for oral argument. Argument commenced by the Assistant to the Attorney General, Mr. Peyton Ford, for the appellant; continued by Mr. William E. Leahy for appellees, Washington Real Estate Board, et al.; by Mr. Roger J. Whiteford for appellees, National Association of Real Estate Boards and Herbert U. Nelson; and concluded by Mr. Victor H. Kramer for the appellant.

William Henry Roberts,

Petitioner,

2, Misc. vs.

The United States District Court for the Northern District of California.

Argued on the motion for leave to file petition for writ of mandamus by Mr. Max Radin for the petitioner. No appearance for respondent.

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Proclamation being made the Court is adjourned until Monday, April 3, next, at 12 o'clock.

MONDAY, APRIL 3, 1950.

Pursuant to adjournment the Court met at the Supreme Court Building.

PRESENT:

The Honorable Fred M. Vinson, Chief Justice,
Hugo L. Black,
Stanley Reed,
Felix Frankfurter,
William O. Douglas,
Robert H. Jackson,
Harold H. Burton,
Tom C. Clark,
Sherman Minton.
Associate Justices,

Thomas Ennalls Waggaman, Esquire, Marshal,

Charles Elmore Cropley, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Solicitor General Philip B. Perlman, It is ordered that William R. Bagby, Esquire, of Grayson, Commonwealth of Kentucky, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Thurgood Marshall, It is ordered that Herman L. Taylor, Esquire, of Raleigh, State of North Carolina, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Spottswood W. Robinson, III, It is ordered that Oliver W. Hill, Sr., Esquire, of Richmond, Commonwealth of Virginia, and Martin A. Martin, Esquire, of Richmond, Commonwealth of Virginia, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Peyton Ford, It is ordered that Coleman H. Hayes, Esquire, of Oklahoma City, State of Oklahoma, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. George H. Mahon, It is ordered that Buck W. McNeil, Esquire, of Lubbock, State of Texas, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Charles Sylvanus Rhyne, It is ordered that Virgil H. Lantry, Esquire, of Portland, State of Oregon, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. William J. Durham, It is ordered that Harry Middleton Bellinger, Esquire, of San Antonio, State of Texas, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Elmore Whitehurst, It is ordered that William Claude Williams, Esquire, of Dallas, State of Texas, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. John A. Carroll, It is ordered that Stevens Park Kinney, Esquire, of Denver, State of Colorado, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Franklin H. Williams, It is ordered that Caswell J. Gates, Esquire, of Durham, State of North Carolina, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Courtney C. Hamilton, It is ordered that Barton Dement, Jr., Esquire, of Murfreesboro, State of Tennessee, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Harry P. Warner, It is ordered that Howard Wallner, Esquire, of Philadelphia, Commonwealth of Pennsylvania, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Adolph H. Zwerner, It is ordered that Guy J. Kornblum, Esquire, of Terre Haute, State of Indiana; Jerdie D. Lewis, Esquire, of Terre Haute, State of Indiana; and N. George Nasser, Esquire, of Terre Haute, State of Indiana, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. H. Max Ammerman, It is ordered that Edward K. Zuckerman, Esquire, of Beverly Hills, State of California, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Nathan Cayton, It is ordered that Henry Watkins de Lagarde, Esquire, of Washington, District of Columbia, and Howard Cayton, Esquire, of Washington, District of Columbia, be admitted to practice as an Attorney and Counsellor of this Court, and they were sworn accordingly.

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Pete Darr, Petitioner, vs. C. P. Burford, Warden, Oklahoma State Penitentiary.

51

On writ of certiorari to the United States Court of Appeals for the Tenth Circuit.

THIS CAUSE came on to be heard on the transcript of the record from the United States Court of Appeals for the Tenth Circuit, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is now here ordered and adjudged by this Court that the judgment of the said United States Court of Appeals, in this cause, be, and the same is hereby, affirmed with costs; and that this cause be, and the same is hereby, remanded to the United States District Court for the Eastern District of Oklahoma.

Per Mr. Justice Reed.

Mr. Justice Burton and Mr. Justice Clark concur in the judgment and opinion except as indicated in the statement of concurrence.

Dissenting opinion by Mr. Justice Frankfurter in which Mr. Justice Black and Mr. Justice Jackson join.

Mr. Justice Douglas took no part in the consideration or decision of this case.

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The Chief Justice announced the following order of the Court:

Jacob F. Holmes, et al.,		Appeal from the United States
	Appellants,	District Court for the Southern
657	vs.	District of New York.
The United States of America, Interstate Commerce Commission, et al.		

THIS CAUSE came on to be heard on the transcript of the record from the United States District Court for the Southern District of New York, and on motion to affirm, which was duly submitted.

ON CONSIDERATION WHEREOF, It is ordered by this Court that the motion to affirm in this cause be, and the same is hereby, granted.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that the decree of the District Court in this cause, be, and the same is hereby, affirmed.

Per Mr. Chief Justice Vinson.

The Chief Justice said:

"The other orders of the Court appear upon the list certified by the Chief Justice and filed with the Clerk and will not be announced orally."

In re Francis X. Lipare.

No. _____

ON CONSIDERATION of the motion to amend the attorney roll to show the change of name of Frank V. Lipari to Francis X. Lipare,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, granted.

Per Mr. Chief Justice Vinson.

In re Disbarment of Edmond C. Fletcher.

No. ___ O. T. '53.

ON CONSIDERATION of the motion of Edmond C. Fletcher to vacate the order of disbarment herein,

IT IS ORDERED by this Court that the said motion be, and it is hereby, denied.

Per Mr. Justice Black.

Mr. Chief Justice Vinson took no part in the consideration or decision of this application.

Louis A. Johnson, Secretary of Defense of the United States, et al.,

Petitioners,

306 vs.

Lothar Eisentrager, alias Ludwig Ehrhardt, etc.

ON CONSIDERATION of the motion for leave to file brief of the American Civil Liberties Union as amicus curiae in this case,

IT IS ORDERED by this Court that the said motion be, and it is hereby, denied.

Per Mr. Chief Justice Vinson.

Larry Gara, Petitioner, Order allowing certiorari.

609 vs.

The United States of America.

The petition herein for a writ of certiorari to the United States Court of Appeals for the Sixth Circuit is granted. The case is transferred to the summary docket.

And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

Fred Pannell, Petitioner, On petition for writ of certiorari to the United States Court of Appeals for the Third Circuit.

590 vs.

The United States of America.

It appearing to the Court that counsel for the petitioner has filed a motion to dismiss the petition for writ of certiorari in this case,

Therefore, pursuant to said motion, it is ordered by this Court that the said petition for writ of certiorari in this cause, be, and it is hereby, dismissed.

Per Mr. Chief Justice Vinson.

George P. Croessant, Petitioner, On petition for writ of certiorari to the United States Court of Appeals for the Third Circuit.

591 vs.

The United States of America.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Third Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Eckert-Fair Construction Company,
Petitioner,
603 vs.
Capitol Steel and Iron Company.

On petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Fifth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

London Guarantee and Accident Co., Ltd., and Weeden T. Underwood,
Petitioners,
606 vs.
Horace W. Behrle.

On petition for writ of certiorari to the Supreme Court of the State of Rhode Island and Providence Plantations.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of Rhode Island and Providence Plantations, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Illa Routh Alley Schurink,
Petitioner,
611 vs.
The United States of America, Gertrude Rhodes Alley and Bluford Alley.

On petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Fifth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Commonwealth of Pennsylvania, Petitioner,
617 vs.
The Curtis Publishing Company.

On petition for writ of certiorari to the Supreme Court of the Commonwealth of Pennsylvania.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the Commonwealth of Pennsylvania, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Minnie Keyes, Petitioner,
642 vs.
K. E. Madsen, Assistant Engineer Commissioner in charge of Buildings for the District of Columbia, et al.

On petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the District of Columbia Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Burlington Transportation Company, Petitioner,
655 vs.
Earl C. Stoltz.

On petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Tenth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Atlantic Coast Line Railroad Company, et al.,

Petitioners,

601 vs.

St. Joe Paper Company, et al.

ON CONSIDERATION of the motion to dispense with printing certain portions of the record in this case,

IT IS ORDERED by this Court that the said motion be, and it is hereby, granted.

Per Mr. Chief Justice Vinson.

Atlantic Coast Line Railroad Company, et al.,

Petitioners,

601 vs.

St. Joe Paper Company, et al.

On petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Fifth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Lorenzo McCoy Cradle,

Petitioner,

217, Misc. vs.

The United States of America.

On petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the District of Columbia Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Lonnie James Ball, alias L. J. Ball, Petitioner, vs. State of Alabama.

365, Misc.

On petition for writ of certiorari to the Supreme Court of the State of Alabama.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of Alabama, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Dale Smith Simpson, Petitioner, vs. State of Louisiana.

424, Misc.

On petition for writ of certiorari to the Supreme Court of the State of Louisiana.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of Louisiana, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

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The Court will take a recess from Monday, April 10, until Monday, April 17, next.

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Elmer W. Henderson, Appellant, vs. The United States of America, Interstate Commerce Commission and Southern Railway Company.

25

Argument commenced by Mr. Attorney General McGrath for the United States; continued by Mr. Solicitor General Perlman for the United States;

by Mr. Belford V. Lawson, Jr., and Mr. Jawn Sandifer for Henderson; by Mr. Allen Crenshaw for the Interstate Commerce Commission; by Mr. Charles Clark for the Southern Railway Company, and concluded by Mr. Sam Hobbs, as amicus curiae, by special leave of Court.

G. W. McLaurin,

Appellant,

34 vs.

Oklahoma State Regents for Higher Education, Board of Regents of the University of Oklahoma, et al.

Argument commenced by Mr. Amos T. Hall for the appellant.

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Proclamation being made the Court is adjourned until tomorrow at 12 o'clock.

Pursuant to adjournment the Court met at the Supreme Court Building.

PRESENT:

The Honorable Fred M. Vinson, Chief Justice,
Hugo L. Black,
Stanley Reed,
Felix Frankfurter,
William O. Douglas,
Robert H. Jackson,
Harold H. Burton,
Tom C. Clark,
Sherman Minton,
Associate Justices,

Thomas Ennalls Waggaman, Esquire, Marshal,

Charles Elmore Cropley, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. John M. Vorys, It is ordered that Horace S. Kerr, Esquire, of Columbus, State of Ohio, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Samuel A. Montgomery, It is ordered that Richard A. Montgomery, Esquire, of Media, Commonwealth of Pennsylvania, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. A. Rea Williams, It is ordered that Frank A. Thompson, Esquire, of Saint Louis, State of Missouri, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Lawrence H. Cake, It is ordered that Lester J. Kramer, Esquire, of Teaneck, State of New Jersey, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Llewellyn A. Luce, It is ordered that Irving Stenn, Esquire, of Chicago, State of Illinois, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Everett W. Mattoon, It is ordered that Howard C. Ellis, Esquire, of San Francisco, State of California, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Arthur C. Perry, It is ordered that Henri L. Bromberg, Jr., Esquire, of Dallas, State of Texas, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. George A. Dondero, It is ordered that Verne Churchill Hampton, Esquire, of Pontiac, State of Michigan, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. James D. Hayes, It is ordered that Margarete M. Ryan, of Washington, District of Columbia, and Frank W. Barton, Esquire, of Memphis, State of Tennessee, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly. (Mrs.)

On motion first made to the Court in this behalf by Miss Rebecca Laurens Love, It is ordered that Mollie Z. Margolin, of Washington, District of Columbia, be admitted to practice as an Attorney and Counsellor of this Court, and she was sworn accordingly. (Mrs.)

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G. W. McLaurin,

Appellant,

34 vs.

Oklahoma State Regents for Higher Education,
Board of Regents of University of Oklahoma,
et al.

Argument continued by Mr. Amos T. Hall for the appellant; by Mr. Robert L. Carter for the appellant; by Mr. Fred Hansen for the appellees; and concluded by Mr. Amos T. Hall for the appellant.

Heman Marion Sweatt,

Petitioner,

44 vs.

Theophilis Shickel Painter, et al.

Argued by Mr. W. J. Durham and Mr. Thurgood Marshall for the petitioner and Mr. Price Daniel and Mr. Joe R. Greenhill for the respondents.

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Proclamation being made the Court is adjourned until tomorrow at 12 o'clock.

WEDNESDAY, APRIL 5, 1950.

Pursuant to adjournment the Court met at the Supreme Court Building.

PRESENT:

The Honorable Fred M. Vinson, Chief Justice,
Hugo L. Black,
Stanley Reed,
Felix Frankfurter,
William O. Douglas,
Robert H. Jackson,
Harold H. Burton,
Tom C. Clark,
Sherman Minton.
Associate Justices,

Thomas Ennalls Waggaman, Esquire, Marshal,
Charles Elmore Cropley, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Hale Boggs, It is ordered that Robert S. Link, Jr., Esquire, of New Orleans, State of Louisiana, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Floyd H. Crews, It is ordered that Morris Nelson, Esquire, of New York, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

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Standard-Vacuum Oil Company,
Petitioner,
18 vs.
The United States.

ON CONSIDERATION of the motion of counsel for the petitioner in this case,

IT IS ORDERED by this Court that the mandate issue forthwith.

Per Mr. Chief Justice Vinson.

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Brown Shoe Company, Inc.,

Petitioner,

445 vs.

Commissioner of Internal Revenue.

Argued by Mr. Charles B. McInnis for the petitioner and Mr. Harry Marselli for the respondent.

Automatic Radio Manufacturing Company, Inc.,

Petitioner,

455 vs.

Hazeltine Research, Inc.

Argued by Mr. Floyd H. Crews for the petitioner and by Mr. Laurence B. Dodds and Mr. Philip F. LaFollette for respondent.

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Proclamation being made the Court is adjourned until Monday, April 10, next, at 12 o'clock.

MONDAY, APRIL 10, 1950.

Pursuant to adjournment the Court met at the Supreme Court Building.

PRESENT:

The Honorable Fred M. Vinson, Chief Justice,
Hugo L. Black,
Stanley Reed,
Felix Frankfurter,
William O. Douglas,
Robert H. Jackson,
Harold H. Burton,
Tom C. Clark,
Sherman Minton.
Associate Justices,

Thomas Ennalls Waggaman, Esquire, Marshal,

Charles Elmore Cropley, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Solicitor General Philip B. Perlman, It is ordered that Josephine M. Elmore, of San Francisco, State of California; John F. Kavanagh, Esquire, of New Smyrna Beach, State of Florida; and Merryl F. Sicherman, Esquire, of Akron, State of Ohio, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly. (Miss)

On motion first made to the Court in this behalf by Mr. Henry P. Chandler, It is ordered that Roland Towle, Esquire, of Chicago, State of Illinois; Florence Weinberg, of Chicago, State of Illinois; and Eugene A. Weinberg, Esquire, of Chicago, State of Illinois, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly. (Mrs.)

On motion first made to the Court in this behalf by Mr. Oscar L. Chapman, It is ordered that Benjamin F. Stapleton, Jr., Esquire, of Denver, State of Colorado, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Edmund Hill, Jr., It is ordered that Aminta C. N. Burnet, of New York, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and she was sworn accordingly. (Miss)

On motion first made to the Court in this behalf by Mr. Walter M. Bastian, It is ordered that John D. Bennett, Esquire, of Rockville Centre, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Marcus A. Hollabaugh, It is ordered that Ulysses S. Bratton, Jr., Esquire, of Detroit, State of Michigan, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Norris C. Bakke, It is ordered that John Raymond Barry, Esquire, of Denver, State of Colorado, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Lucien Wilmer, It is ordered that Martin Lester Hanna, Esquire, of Bowling Green, State of Ohio, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Homer Ferguson, It is ordered that Laurence A. Price, Esquire, of Detroit, State of Michigan, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Samuel Marshall Gold, It is ordered that Francis T. Nemac, Esquire, of New York, State of New York, and Jay-Ehret Mahoney, Esquire, of New York, State of New York, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Elmore Whitehurst, It is ordered that Doyle Willis, Esquire, of Fort Worth, State of Texas, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Monroe Leigh, It is ordered that Edward G. Howard, Esquire, of Wilmington, State of Delaware, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Miss Rebecca Laurens Love, It is ordered that Freeman W. Sharp, Jr., Esquire, of Washington, District of Columbia, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Jerome S. Katzin, It is ordered that Seymour Tabin, Esquire, of Chicago, State of Illinois, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Henry Hamill Fowler, It is ordered that James P. Hart, Jr., Esquire, of Roanoke, Commonwealth of Virginia, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Frank M. Ludwick, It is ordered that Thomas J. Jones, Jr., Esquire, of Boise, State of Idaho, and John W. Coggins, Esquire, of Washington, District of Columbia, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Belford Vance Lawson, Jr., It is ordered that Chas. W. Williamson, Esquire, of Henderson, State of North Carolina, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Hugh T. Fullerton, It is ordered that Earl B. Myers, Esquire, of San Francisco, State of California, and Joseph L. Seligman, Jr., Esquire, of San Francisco, State of California, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Roger P. Marquis, It is ordered that George T. Law, Esquire, of New Bedford, Commonwealth of Massachusetts, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Ralph E. Becker, It is ordered that Joseph Vincent Ferguson, II, Esquire, of New Orleans, State of Louisiana, and Morrie Slifkin, Esquire, of Tarrytown, State of New York, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Albert Holmes Baldridge, It is ordered that George R. Maury, Esquire, of Los Angeles, State of California, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Eugene Mills Mechem, It is ordered that T. M. Royce, Esquire, of Seattle, State of Washington, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Edward J. Hickey, Jr., It is ordered that Craig McKee, Esquire, of Des Moines, State of Iowa, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

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Marion J. Slocum, as General Chairman, Lackawanna Division No. 30 of the Order of Railroad Telegraphers,

Petitioner,

391 vs.

The Delaware, Lackawanna & Western Railroad Company.

On writ of certiorari to the Court of Appeals of the State of New York.

THIS CAUSE came on to be heard on the transcript of the record from the Court of Appeals of the State of New York, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is ordered and adjudged by this Court that the judgment of the said Court of Appeals, in this cause, be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the Court of Appeals for further proceedings not inconsistent with the opinion of this Court.

Per Mr. Justice Black.

Dissenting opinion by Mr. Justice Reed.

Mr. Justice Douglas took no part in the consideration or decision of this case.

Order of Railway Conductors of America, an Unincorporated Association,

Petitioner,

438 vs.

Southern Railway Company, a Corporation Organized and Existing Under the Laws of the State of Virginia.

On writ of certiorari to the Supreme Court of the State of South Carolina.

THIS CAUSE came on to be heard on the transcript of the record from the Supreme Court of the State of South Carolina, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is ordered and adjudged by this Court that the judgment of the said Supreme Court, in this cause, be, and the same is hereby, reversed with costs; and that this cause, be, and the same is hereby, remanded to the said Supreme Court for proceedings not inconsistent with the opinion of this Court.

Per Mr. Justice Black.

Dissenting: Mr. Justice Reed.

Mr. Justice Douglas took no part in the consideration or decision of this case.

Richard Morford, Petitioner, vs. The United States of America. — Order allowing certiorari.

236

The petition herein for a writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit is granted.

And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

Mr. Justice Clark took no part in the consideration or decision of this application.

Richard Morford, Petitioner, vs. The United States of America. — On writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit.

236

THIS CAUSE came on to be heard on the transcript of the record from the United States Court of Appeals for the District of Columbia Circuit, and was duly submitted.

ON CONSIDERATION WHEREOF, It is ordered and adjudged by this Court that the judgment of the said United States Court of Appeals, in this cause, be, and the same is hereby, reversed; and that this cause be, and the same is hereby, remanded to the United States District Court for the District of Columbia for further proceedings in conformity with the opinion of this Court.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas concurs in the reversal of the judgment.
Mr. Justice Black and Mr. Justice Frankfurter concur in the judgment of reversal for the reasons expressed in their opinions in Dennis vs. United States, No. 14, decided March 27, 1950.
Mr. Justice Clark took no part in the consideration or decision of this case.

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The Chief Justice said:

"The orders of the Court appear upon the list certified by the Chief Justice and filed with the Clerk and will not be announced orally."

John W. Snyder,
Petitioner,
547 vs.
Tighe E. Woods, Housing Expediter.

On petition for writ of certiorari to the United States Emergency Court of Appeals.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Emergency Court of Appeals, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

The United States,
Petitioner,
580 vs.
Union Pacific Railroad Company.

On petition for writ of certiorari to the United States Court of Claims.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Claims, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Tex-O-Kan Flour Mills Co., d/b/a Perry Burrus Elevators,
Petitioner,
604 vs.
Texas and Pacific Railway Company.

On petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Fifth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Charles W. Strong, trading as Strong Manufacturing Company,

Petitioner,

610 vs.

Francis R. Smith, Collector of Internal Revenue.

On petition for writ of certiorari to the United States Court of Appeals for the Third Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Third Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

John Mansavage,

Petitioner,

615 vs.

The United States of America.

On petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Seventh Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Continental Oil Company,

Petitioner,

618 vs.

H. C. Jones, Collector of Internal Revenue.

On petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Tenth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Wilmington Trust Company, etc., Petitioner,
619 vs.
The Mutual Life Insurance Company of New York.

On petition for writ of certiorari to the United States Court of Appeals for the Third Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Third Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

B. D. Phillips, Petitioner,
622 vs.
Commissioner of Internal Revenue.

On petition for writ of certiorari to the United States Court of Appeals for the Third Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Third Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

T. W. Phillips, Jr., Petitioner,
623 vs.
Commissioner of Internal Revenue.

On petition for writ of certiorari to the United States Court of Appeals for the Third Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Third Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Thomas W. Phillips, III,
Petitioner,
624 vs.
Commissioner of Internal Revenue.

On petition for writ of certiorari to the United States Court of Appeals for the Third Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Third Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Roger S. Phillips,
Petitioner,
625 vs.
Commissioner of Internal Revenue.

On petition for writ of certiorari to the United States Court of Appeals for the Third Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Third Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Idell H. Phillips,
Petitioner,
626 vs.
Commissioner of Internal Revenue.

On petition for writ of certiorari to the United States Court of Appeals for the Third Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Third Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Margaret Phillips Succop,
Petitioner,
627 vs.
Commissioner of Internal Revenue.

On petition for writ of certiorari to the United States Court of Appeals for the Third Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Third Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Estate of Alma J. S. Phillips, deceased, et al.,
Petitioners,
628 vs.
Commissioner of Internal Revenue.

On petition for writ of certiorari to the United States Court of Appeals for the Third Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Third Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Estate of Undine C. Phillips, deceased, B. D. Phillips, Administrator,
Petitioner,
629 vs.
Commissioner of Internal Revenue.

On petition for writ of certiorari to the United States Court of Appeals for the Third Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Third Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Ruth Phillips Bisiker, Petitioner,

630 vs.

Commissioner of Internal Revenue.

On petition for writ of certiorari to the United States Court of Appeals for the Third Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Third Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Keokuk Steel Casting Company, Petitioner,

633 vs.

J. R. Lawrence.

On petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Tenth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

New York Life Insurance Company, Petitioner,

650 vs.

Virdie Schiel, Frank Schiel, Sr., Mary Lou Schiel and Lorraine Schiel.

On petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Ninth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Monolith Portland Midwest Company, Petitioner,
666 vs.
Reconstruction Finance Corporation.

On petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Ninth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Carl Carpenter, Petitioner,
676 vs.
State of North Carolina.

On petition for writ of certiorari to the Supreme Court of the State of North Carolina.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of North Carolina, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Dave Dover, Petitioner,
677 vs.
State of North Carolina.

On petition for writ of certiorari to the Supreme Court of the State of North Carolina.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of North Carolina, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Gay Stinnett, Petitioner, vs. State of North Carolina. 678 — On petition for writ of certiorari to the Supreme Court of the State of North Carolina.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of North Carolina, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

George Marshall, Petitioner, vs. The United States of America. 197 — On petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the District of Columbia Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Black is of the opinion certiorari should be granted.

Mr. Justice Clark took no part in the consideration or decision of this application.

John Howard Lawson, Petitioner, vs. The United States of America. 248 — On petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the District of Columbia Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Black and Mr. Justice Douglas are of the opinion certiorari should be granted.

Mr. Justice Clark took no part in the consideration or decision of this application.

Dalton Trumbo, Petitioner, vs. The United States of America. — On petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit.

249

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the District of Columbia Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Black and Mr. Justice Douglas are of the opinion certiorari should be granted.

Mr. Justice Clark took no part in the consideration or decision of this application.

Anheuser-Busch, Incorporated, Petitioner, vs. Du Bois Brewing Company. — On petition for writ of certiorari to the United States Court of Appeals for the Third Circuit.

495

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Third Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Clark took no part in the consideration or decision of this application.

Meyer Gordon, Petitioner, vs. The United States of America. — On petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit.

548

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Sixth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Clark took no part in the consideration or decision of this application.

M. Loucopantis, G. Diamatakis, et al.,

Petitioners,

620 vs.

Steamship "Olympos," etc., et al.

ON CONSIDERATION of the motion to dispense with printing the petition, brief, and record in this case,

IT IS ORDERED by this Court that the said motion be, and it is hereby, granted.

Per Mr. Chief Justice Vinson.

M. Loucopantis, G. Diamatakis, et al., Petitioners, 620 vs. Steamship "Olympos," etc., et al.

On petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Fourth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Rudolf Reider,

Petitioner,

403 vs.

Guy A. Thompson, Trustee, Missouri Pacific Railroad Company, Debtor.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Jackson and Mr. Justice Douglas took no part in the consideration or decision of this application.

Katherine Cohen and William Cohen,

Petitioners,

517. vs.

The United States of America.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Sam Thompson,

Petitioner,

255, Misc. vs.

Browning Robinson, Warden.

A second petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Ruth Vena Johnson, etc., et al., Petitioners, vs. George Gardner, as Trustee.

364, Misc.

On petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Ninth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Grace W. Adkins, etc., Petitioner, vs. E. I. Du Pont de Nemours and Co., Inc.

382, Misc.

On petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Tenth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

E. M. Watson, Petitioner, vs. L. G. Suddoth and J. S. Calfee.

390, Misc.

On petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Eighth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Melissa J. Rowe, Petitioner, vs. Walter L. Green.

391, Misc.

On petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Fourth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Salatheal Harry Tracy Everhart, Petitioner,
425, Misc. vs.
State of Texas.

On petition for writ of certiorari to the Court of Criminal Appeals of the State of Texas.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Court of Criminal Appeals of the State of Texas, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Hans-Joachim Falkenstein, Petitioner,
427, Misc. vs.
People of the State of New York.

On petition for writ of certiorari to the Appellate Division of the Supreme Court of the State of New York.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Appellate Division of the Supreme Court of the State of New York, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Edgar Holland, Petitioner,
428, Misc. vs.
Ralph N. Eidson, Warden.

On petition for writ of certiorari to the Supreme Court of the State of Missouri.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of Missouri, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Harry Holmes, Petitioner, vs. Edwin T. Swenson, Warden. — On petition for writ of certiorari to the Court of Appeals of the State of Maryland.

437, Misc.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Court of Appeals of the State of Maryland, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Fred Varela and Alfonso Najera, Petitioners, vs. People of the State of Illinois. — On petition for writ of certiorari to the Supreme Court of the State of Illinois.

457, Misc.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of Illinois, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Carson Seger and Curtis Chapman, Petitioners, vs. People of the State of Illinois. — On petition for writ of certiorari to the Supreme Court of the State of Illinois.

459, Misc.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of Illinois, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Alexander G. Jeronis,

Petitioner,

432, Misc. vs.

People of the State of Michigan.

ON CONSIDERATION of the application submitted herein by Alexander G. Jeronis,

IT IS ORDERED by this Court that the said application be, and it is hereby, denied.

Per Mr. Chief Justice Vinson.

Madeleine Du Pont Ruoff,

Petitioner,

438, Misc. vs.

Honorable Charles F. McLaughlin, U. S. District Judge for the District of Columbia.

ON CONSIDERATION of the motion for leave to file a petition for writ of mandamus herein,

IT IS ORDERED by this Court that the said motion be, and it is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Clark took no part in the consideration or decision of this application.

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Proclamation being made the Court is adjourned until Monday, April 17, next, at 12 o'clock.

Pursuant to adjournment the Court met at the Supreme Court Building.

PRESENT:

The Honorable Fred M. Vinson, Chief Justice,
Hugo L. Black,
Stanley Reed,
Felix Frankfurter,
William O. Douglas,
Robert H. Jackson,
Harold H. Burton,
Tom C. Clark,
Sherman Minton,
Associate Justices,

Thomas Ennalls Waggaman, Esquire, Marshal,

Charles Elmore Cropley, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Attorney General J. Howard McGrath, It is ordered that James M. McGarry, Esquire, of Providence, State of Rhode Island; Matthew Wilson Goring, Esquire, of Providence, State of Rhode Island; Joseph Francis Dolan, Esquire, of Valley Stream, State of New York; Alfred B. Eddy, Esquire, of Ontonagon, State of Michigan; Richard William Corman, Esquire, of Rushville, State of Illinois; James L. McGovern, Esquire, of New York, State of New York; Arthur Carl Larson, Esquire, of Wakefield, State of Nebraska; Robert E. Penland, Esquire, of Columbia, State of South Carolina; Fred J. Baumgardner, Esquire, of Louisville, Commonwealth of Kentucky; Joseph A. Lehman, Jr., Esquire, of Chicago, State of Illinois; Earl C. Johnson, Esquire, of Dunning, State of Nebraska; G. Lawrence Keller, Esquire, of Pratt, State of Kansas; Edgar L. Robbins, Esquire, of Louisville, Commonwealth of Kentucky; Charles M. Noone, Esquire, of Alexandria, Commonwealth of Virginia; Courtney Allen Evans, Esquire, of Detroit, State of Michigan; Manning C. Clements, Esquire, of Burnet, State of Texas; William F. Billings, Esquire, of Dallas, State of Texas; Joseph Daniel Donohue, Esquire, of Montclair, State of New Jersey; and August B. Fipp, Jr., Esquire, of Defiance, State of Ohio, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Homer Ferguson, It is ordered that B. M. Pelavin, Esquire, of Flint, State of Michigan, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Milton Sandberg, It is ordered that George Marlin, Esquire, of New York, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Charles L. Black, It is ordered that Wilbur W. Heard, Esquire, of Tulsa, State of Oklahoma, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Arthur O'Quin, It is ordered that David E. Smitherman, Esquire, of Shreveport, State of Louisiana, and Charles Ford Currier, Esquire, of Shreveport, State of Louisiana, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. John H. D. Wigger, It is ordered that Allen A. Dobey, Esquire, of Arlington, Commonwealth of Virginia, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Wendell Berge, It is ordered that Jerome Frank Kutak, Esquire, of Hammond, State of Indiana, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Carl McFarland, It is ordered that Forrest H. Anderson, Esquire, of Helena, State of Montana, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Philip Werner Amram, It is ordered that William Glassman, Esquire, of Warren, Commonwealth of Pennsylvania, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Timothy V. A. Dillon, It is ordered that Sherman Anderson, Esquire, of Los Angeles, State of California, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Jacob Halper, It is ordered that Albert Langerman, Esquire, of Washington, District of Columbia, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Albert S. Gerstein, It is ordered that Milton C. Wasby, Esquire, of Boston, Commonwealth of Massachusetts, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Warren E. Miller, It is ordered that Herman Knell, Esquire, of Chicago, State of Illinois, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

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The United States of America, Petitioner, vs. Westinghouse Electric & Manufacturing Co. 26

On writ of certiorari to the United States Court of Appeals for the First Circuit.

THIS CAUSE came on to be heard on the transcript of the record from the United States Court of Appeals for the First Circuit, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is ordered and adjudged by this Court that the judgment of the said United States Court of Appeals, in this cause, be, and the same is hereby, reversed insofar as it awards $25,600 to respondent; and that this cause be, and the same is hereby, remanded to the United States District Court for the District of Massachusetts for proceedings in conformity with the opinion of this Court.

Per Mr. Justice Frankfurter.

Dissenting opinion by Mr. Justice Jackson.

Mr. Justice Douglas took no part in the consideration or decision of this case.

Benard South and Harold C. Fleming, Appellants, vs. James Peters, as Chairman of the Georgia State Democratic Executive Committee, et al. — Appeal from the United States District Court for the Northern District of Georgia.

724

THIS CAUSE came on to be heard on the transcript of the record from the United States District Court for the Northern District of Georgia, and was duly submitted.

ON CONSIDERATION WHEREOF, It is ordered, adjudged, and decreed by this Court that the decree of the said District Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Chief Justice Vinson.

Dissenting opinion by Mr. Justice Douglas in which Mr. Justice Black concurs.

The Chief Justice said:

"The orders of the Court appear upon the list certified by the Chief Justice and filed with the Clerk and will not be announced orally."

California-Michigan Land and Water Company,

Petitioner,

353 vs.

City of Pasadena, a Municipal Corporation, et al.

On petition for writ of certiorari to the Supreme Court of the State of California.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of California, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

W. O. Roberts, Superintendent of the Five Tribes Agency, for Agnes Quapaw Hoffman, etc.,

Petitioner,

595 vs.

The United States.

On petition for writ of certiorari to the United States Court of Claims.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Claims, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Ralph M. Brock,

Petitioner,

614 vs.

Robert C. Solomon, Trustee, etc.

On petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Seventh Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Henry E. Becker, Petitioner,

675 vs.

Robert C. Solomon, Trustee, etc.

On petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Seventh Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Ruth M. Morairty, Petitioner,

631 vs.

Mutual Life Insurance Company of New York.

On petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Ninth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

G. Pullen Jackson and Frank L. Horan, a partnership, practicing under the name of Jackson and Horan, Petitioners,

641 vs.

Harry V. Vance, Trustee of the Estate of William O. Stuart, et al.

On petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Tenth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Allied Oil Corporation,
Petitioner,
643 vs.
Socony-Vacuum Oil Company, Incorporated.

On petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Seventh Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Republic Steel Corporation,
Petitioner,
669 vs.
The Farval Corporation.

On petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Sixth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

William H. Hiatt, Warden, United States Penitentiary, Atlanta, Georgia,
Petitioner,
359 vs.
Eugene Preston Brown.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Orin C. Clement,

Petitioner,

525 vs.

Tighe E. Woods, Housing Expediter,
Office of Housing Expediter.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Jiffy Lubricator Company,

Petitioner,

543 vs.

The Alemite Company.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Laurie J. Carpenter,

Petitioner,

545 vs.

Erie Railroad Company.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Ex parte Sol Newstead,

351, Misc. Petitioner.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Joseph Rufus Langford, Petitioner, On petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit.

291, Misc. vs.

The United States of America.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Ninth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Cornelo Thomasson, Petitioner, On petition for writ of certiorari to the Supreme Court of the State of Missouri.

336, Misc. vs.

State of Missouri.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of Missouri, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Daniel M. Kent, Petitioner, vs. People of the State of Michigan. 400, Misc. On petition for writ of certiorari to the Supreme Court of the State of Michigan.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of Michigan, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Randall Winegard, Petitioner, vs. Edwin T. Swenson, Warden. 406, Misc. On petition for writ of certiorari to the Court of Appeals of the State of Maryland.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Court of Appeals of the State of Maryland, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Sadie Smith and Minnie Smith, Petitioners, vs. Mr. and Mrs. J. L. Holt. 413, Misc. On petition for writ of certiorari to the Court of Appeals of the Commonwealth of Kentucky.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Court of Appeals of the Commonwealth of Kentucky, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

George Cubbler, Petitioner, vs. State of New Jersey.

417, Misc.

On petition for writ of certiorari to the Supreme Court of the State of New Jersey.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of New Jersey, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Ralph Bindrin, Petitioner, vs. People of the State of Illinois.

419, Misc.

On petition for writ of certiorari to the Supreme Court of the State of Illinois.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of Illinois, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Richard Blue, Petitioner, vs. Joseph E. Ragen, Warden.

426, Misc.

On petition for writ of certiorari to the Criminal Court of Cook County, of the State of Illinois.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Criminal Court of Cook County of the State of Illinois, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Ross E. Dunlevy,
Petitioner,
435, Misc. vs.
Browning Robinson, Warden.

On petition for writ of certiorari to the Circuit Court of Sangamon County, of the State of Illinois.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Circuit Court of Sangamon County of the State of Illinois, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

J. P. Wild,
Petitioner,
450, Misc. vs.
C. P. Burford, Warden.

On petition for writ of certiorari to the District Court of the County of McCurtain, of the State of Oklahoma.

ON CONSIDERATION of the petition for a writ of certiorari herein to the District Court of the County of McCurtain, of the State of Oklahoma, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

John Robert Bridges, alias Jack Bridges,
Petitioner,
396, Misc. vs.
State of North Carolina.

On petition for writ of certiorari to the Supreme Court of the State of North Carolina.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of North Carolina, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas is of the opinion certiorari should be granted.

Earnest Lee Potter,

Petitioner,

449, Misc. vs.

Ralph N. Eidson, Warden.

ON CONSIDERATION of the motion for leave to file a petition for writ of habeas corpus herein,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

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It is ordered that the call of the docket, except for special assignments, be suspended for the term upon the conclusion of the argument in case No. 568, and that the Court will take a recess from Monday, April 24, until Monday, May 1, next.

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The United States of America,

Appellant,

490 vs.

Cotton Valley Operators Committee, et al.

Motion for leave to file brief of Wm. Dwight Whitney as amicus curiae submitted by Mr. John H. Pickering in that behalf, and the motion denied.

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Travelers Health Association and
R. E. Pratt, as Treasurer Thereof,
and in his personal capacity,

Appellants,

76 vs.

Commonwealth of Virginia, at the
relation of State Corporation Commission.

Reargued by Mr. Moses G. Hubbard, Jr., for the appellants and Mr. Walter E. Rogers for the appellee.

Louis A. Johnson, Secretary of Defense
of the United States, et al.,

Petitioners,

306 vs.

Lothar Eisentrager, alias Ludwig
Ehrhardt, on his own behalf and as next
friend of Franz Siebert, et al.

Argued by Mr. Solicitor General Perlman for the petitioners and Mr. A. Frank Reel and Mr. Milton Sandberg for the respondent.

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Proclamation being made the Court is adjourned until tomorrow at 12 o'clock.

Pursuant to adjournment the Court met at the Supreme Court Building.

PRESENT:

The Honorable Fred M. Vinson, Chief Justice,
Hugo L. Black,
Stanley Reed,
Felix Frankfurter,
William O. Douglas,
Robert H. Jackson,
Harold H. Burton,
Tom C. Clark,
Sherman Minton,
Associate Justices,

Thomas Ennalls Waggaman, Esquire, Marshal,

Charles Elmore Cropley, Clerk,

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. William E. Jenner, It is ordered that James Carter Cooper, Esquire, of Rushville, State of Indiana, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Austin F. Canfield, It is ordered that Henry A. Frye, Esquire, of Philadelphia, Commonwealth of Pennsylvania, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. James I. Dolliver, It is ordered that Loren Milo Hullinger, Esquire, of Cedar Rapids, State of Iowa, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. David London, It is ordered that Joseph Stomel, Esquire, of Los Angeles, State of California, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. F. Regis Noel, It is ordered that Thomas C. Heffernan, Esquire, of Boston, Commonwealth of Massachusetts, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. George M. Morris, It is ordered that Walter P. Armstrong, Jr., Esquire, of Memphis, State of Tennessee, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Joseph R. Gorman, It is ordered that Philip A. Angell, Esquire, of Randolph, State of Vermont, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

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National Labor Relations Board,
Petitioner,
434 vs.
Mexia Textile Mills, Inc.; and

National Labor Relations Board,
Petitioner,
435 vs.
Pool Manufacturing Company.

Argued by Mr. A. Norman Somers for the petitioner and Mr. John M. Scott for the respondents.

The United States of America,
Appellant,
490 vs.
Cotton Valley Operators Committee, et al.

Motion to dismiss or affirm submitted by Mr. Arthur O'Quin for appellees, Ohio Oil Company, et al.

The United States of America,

Appellant,

490 vs.

Cotton Valley Operators Committee, et al.

Argued by Mr. Assistant Attorney General Bergson for appellant; by Mr. Arthur O'Quin for appellees, Ohio Oil Company, et al.; by Mr. Charles L. Black for appellees, Stanolind Oil and Gas Company, et al.; and case submitted by Mr. Charles B. Wallace, Mr. Wallace Hawkins, and Mr. Earl A. Brown, for appellee, Magnolia Petroleum Company.

William A. Lyon, Superintendent of Banks of the State of New York, etc.,

Petitioner,

512 vs.

Eugene T. Singer; and

Eugene T. Singer,

Petitioner,

527 vs.

The Yokohama Specie Bank, Ltd., et al.

Argument commenced by Mr. Albert R. Connelly, for Eugene T. Singer.

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Proclamation being made the Court is adjourned until tomorrow at 12 o'clock.

Pursuant to adjournment the Court met at the Supreme Court Building.

PRESENT:

The Honorable Fred M. Vinson, Chief Justice,
Hugo L. Black,
Stanley Reed,
Felix Frankfurter,
William O. Douglas,
Robert H. Jackson,
Harold H. Burton,
Tom C. Clark,
Sherman Minton,
Associate Justices,

Thomas Ennalls Waggaman, Esquire, Marshal,

Charles Elmore Cropley, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Edward Feldman, It is ordered that Daniel Gerson, Esquire, of New York, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Chas. H. Elston, It is ordered that John R. Gehrig, Esquire, of Cincinnati, State of Ohio, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Justin Leroy Johnson, It is ordered that Anthony Albert Cardozo, Esquire, of Modesto, State of California, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Thomas J. Lane, It is ordered that Stanislaus J. Jablonski, Esquire, of Worcester, Commonwealth of Massachusetts, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. James L. Morrisson, It is ordered that Morris Morgenstern, Esquire, of Cleveland, State of Ohio; Bernard B. Direnfeld, Esquire, of Cleveland, State of Ohio; and Marvin L. Shaw, Esquire, of Cleveland, State of Ohio, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Edward M. English, It is ordered that John Jennings Boland, Esquire, of Washington, District of Columbia, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Henry A. Frye, It is ordered that William F. Leopold, Jr., Esquire, of Philadelphia, Commonwealth of Pennsylvania, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

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American President Lines, Ltd.,

Petitioner,

583 vs.

Augustus Federer, et al.

ON CONSIDERATION of the motion of counsel for the respondent in this case,

IT IS ORDERED by this Court that the time within which to file response to the petition for writ of certiorari herein be, and it is hereby, extended to and including April 27, 1950.

Per Mr. Chief Justice Vinson.

William A. Lyon, Superintendent of Banks of the State of New York, etc.,

Petitioner,

512 vs.

Eugene T. Singer; and

Eugene T. Singer,

Petitioner,

527 vs.

The Yokohama Specie Bank, Ltd., et al.

Argument continued by Mr. Albert R. Connelly for Singer; by Mr. Edward Feldman for William A. Lyon, Superintendent of Banks, et al.; by Mr. James L. Morrisson for the United States as amicus curiae by special leave of Court; and concluded by Mr. Albert R. Connelly for Singer.

William A. Lyon, Superintendent of Banks of the State of New York, etc.,

Petitioner,

513 vs.

Banque Mellie Iran; and

Banque Mellie Iran,

Petitioner,

528 vs.

William A. Lyon, Superintendent of Banks of the State of New York, etc.

Argued by Mr. Allen T. Klotz for the Banque Mellie Iran; by Mr. James L. Morrisson for the United States as amicus curiae by special leave of Court, and by Mr. Edward Feldman for William A. Lyon, Superintendent of Banks, etc.

Oscar R. Ewing, Federal Security Administrator, et al.,

Appellants,

568 vs.

Mytinger and Casselberry, a California Corporation.

Argument commenced by Mr. Robert L. Stern for the appellants.

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Proclamation being made the Court is adjourned until tomorrow at 12 o'clock.

Pursuant to adjournment the Court met at the Supreme Court Building.

PRESENT:

The Honorable Fred M. Vinson, Chief Justice,
Hugo L. Black,
Stanley Reed,
Felix Frankfurter,
William O. Douglas,
Robert H. Jackson,
Harold H. Burton,
Tom C. Clark,
Sherman Minton,
Associate Justices,

Thomas Ennalls Waggaman, Esquire, Marshal,

Charles Elmore Cropley, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Chester H. Gray, It is ordered that John Francis Doyle, Esquire, of Washington, District of Columbia, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Charles Sylvanus Rhyne, It is ordered that Lester L. Lev, Esquire, of Fullerton, State of California, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Henry P. Chandler, It is ordered that Frederick J. Hertz, Esquire, of Chicago, State of Illinois, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Lambert S. O'Malley, It is ordered that Enos A. Axtell, Esquire of Kansas City, State of Missouri, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Richard D. Daniels, It is ordered that Ralph C. Busser, Esquire, of Philadelphia, Commonwealth of Pennsylvania, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Robert L. Stern, It is ordered that Jas. L. Abney, Esquire, of Houston, State of Texas, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

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Oscar R. Ewing, Federal Security Administrator, et al.,

Appellants,

568 vs.

Mytinger and Casselberry, a California Corporation.

Argument continued by Mr. Robert L. Stern for the appellants, by Mr. Charles S. Rhyne for the appellee, and concluded by Mr. Robert L. Stern for the appellants.

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Proclamation being made the Court is adjourned until Monday, April 24, next, at 12 o'clock.

Pursuant to adjournment the Court met at the Supreme Court Building.

PRESENT:

The Honorable Fred M. Vinson, Chief Justice,
Hugo L. Black,
Stanley Reed,
William O. Douglas,
Robert H. Jackson,
Harold H. Burton,
Tom C. Clark,
Sherman Minton,
Associate Justices,
Thomas Ennalls Waggaman, Esquire, Marshal,
Charles Elmore Cropley, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. A. Leonard Allen, It is ordered that Julius B. Nachman, Esquire, of Alexandria, State of Louisiana, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Solicitor General Philip B. Perlman, It is ordered that Frederick H. Block, Esquire, of New York, State of New York; John A. Murphy, Esquire, of Phoenix, State of Arizona; and Sidney Morse, Esquire, of Brooklyn, State of New York, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Richard Paul Schulze, It is ordered that James L. Griffin, Esquire, of Chicago, State of Illinois, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Carl I. Wheat, It is ordered that Samuel S. Topper, Esquire, of Detroit, State of Michigan, and Alfred E. McLane, Esquire, of Dallas, State of Texas, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Nathan J. Paulson, It is ordered that Richard L. Baltimore, Jr., Esquire, of New York, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. John W. Cragun, It is ordered that Carl G. Lutz, Esquire, of Indianapolis, State of Indiana, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Neville Miller, It is ordered that Donald O. Krag, Esquire, of Alhambra, State of California, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. W. Blum, Jr., It is ordered that Edward Schoen, Jr., Esquire, of Newark, State of New Jersey, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Ernest R. Feidler, It is ordered that Robert G. MacAlister, Esquire, of Pittsburgh, Commonwealth of Pennsylvania, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. James Perkins Parker, It is ordered that Hayford O. Enwall, Esquire, of Gainesville, State of Florida, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. William I. Denning, It is ordered that C. Edward Leasure, Esquire, of Washington, District of Columbia, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. William B. Jones, It is ordered that Wm. A. Glasgow, Esquire, of Washington, District of Columbia, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Carl McFarland, It is ordered that Russell E. Smith, Esquire, of Missoula, State of Montana, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Raymond J. Bowen, It is ordered that George Herbert Seefeld, Esquire, of New York, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Harold F. Watson, It is ordered that Paul M. Geist, Esquire, of Bridgeport, State of Connecticut, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. J. Harry LaBrum, It is ordered that James Burnley Doak, Esquire, of Philadelphia, Commonwealth of Pennsylvania, and Wilbur Myron Jones, Esquire, of New York, State of New York, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. John A. Dienner, It is ordered that John A. Dienner, Jr., Esquire, of Chicago, State of Illinois, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Francis C. Browne, It is ordered that John Rex Allen, Esquire, of Chicago, State of Illinois, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Richard W. Galiher, It is ordered that Vincent W. H. DeLucia, Esquire, of New Haven, State of Connecticut, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Raymond P. Garrity, It is ordered that Edwin N. Dwyer, Esquire, of New Haven, State of Connecticut, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Joe W. Sheehy, It is ordered that Thomas Boyd Ramey, Esquire, of Tyler, State of Texas, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Peter Campbell Brown, It is ordered that Frederick J. Waters, Esquire, of New York, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Miss Miriam Theresa Rooney, It is ordered that Walter Rojek, Esquire, of Chicago, State of Illinois, and Matthew H. Schoenbaum, Esquire, of Chicago, State of Illinois, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Miss Rebecca Laurens Love, It is ordered that Norman J. Small, Esquire, of Washington, District of Columbia, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

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Kenneth J. Mullane, as Special Guardian and Attorney, etc.,

Appellant,

vs.

Central Hanover Bank and Trust Company, as Trustee, etc., et al.

Appeal from the Court of Appeals of the State of New York.

378

THIS CAUSE came on to be heard on the transcript of the record from the Court of Appeals of the State of New York, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is now here ordered and adjudged by this Court that the judgment of the said Court of Appeals, in this cause, be, and the same is hereby, reversed with costs; and that this cause, be, and the same is hereby, remanded to the Court of Appeals for further proceedings not inconsistent with the opinion of this Court.

Per Mr. Justice Jackson.

Dissenting: Mr. Justice Burton.

Mr. Justice Douglas took no part in the consideration or decision of this case.

Lee Cassell,

Petitioner,

vs.

The State of Texas.

On writ of certiorari to the Court of Criminal Appeals of the State of Texas.

46

THIS CAUSE came on to be heard on the transcript of the record from the Court of Criminal Appeals of the State of Texas, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is ordered and adjudged by this Court that the judgment of the said Court of Criminal Appeals, in this cause, be, and the same is hereby, reversed with costs; and that this cause, be, and the same is hereby, remanded to the Court of Criminal Appeals for further proceedings not inconsistent with the opinion of this Court.

Per Mr. Justice Reed.

Opinion by Mr. Justice Frankfurter concurring in the judgment in which Mr. Justice Burton and Mr. Justice Minton join.
Concurring opinion by Mr. Justice Clark.
Dissenting opinion by Mr. Justice Jackson.

Mr. Justice Douglas took no part in the consideration or decision of this case.

E. P. Shipman and W. A. Shipman, Individually, and Trading as Shipman Brothers, et al., Appellants, vs. Andrew J. DuPre, et al. — Appeal from the United States District Court for the Eastern District of South Carolina.

689

THIS CAUSE came on to be heard on the transcript of the record from the United States District Court for the Eastern District of South Carolina, and was duly submitted.

ON CONSIDERATION WHEREOF, It is ordered, adjudged, and decreed by this Court that the decree of the said District Court in this cause, be, and the same is hereby, vacated, each party to pay his or its own costs in this Court.

IT IS FURTHER ORDERED that this cause, be, and the same is hereby, remanded to the District Court with directions to retain jurisdiction of the complaint for a reasonable time, to afford appellants an opportunity to obtain, by appropriate proceedings, a construction by the state court of the statutory provisions involved.

Per Mr. Chief Justice Vinson.

Dissenting: Mr. Justice Douglas.

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The Chief Justice announced the following orders of the Court:

The United States of America, Appellant, vs. Cotton Valley Operators Committee, et al. — Appeal from the United States District Court for the Western District of Louisiana.

490

THIS CAUSE came on to be heard on the transcript of the record from the United States District Court for the Western District of Louisiana, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is ordered, adjudged, and decreed by this Court that the decree of the said District Court in this cause be, and the same is hereby, affirmed by an equally divided Court.

Per Mr. Chief Justice Vinson.

Mr. Justice Clark took no part in the consideration or decision of this case.

Nick Tedesco, Appellant, vs. Board of Supervisors of Elections for the Parish of Orleans, et al.

725

Appeal from the Court of Appeal for the Parish of Orleans, State of Louisiana.

THIS CAUSE came on to be heard on the transcript of the record from the Court of Appeal for the Parish of Orleans, State of Louisiana, and on motion to dismiss or affirm, which was duly submitted.

ON CONSIDERATION WHEREOF, It is now here ordered by this Court that the motion to dismiss the appeal herein be, and the same is hereby, granted.

IT IS FURTHER ORDERED that the appeal herein be, and the same is hereby, dismissed for the want of a substantial federal question.

Per Mr. Chief Justice Vinson.

William P. Hopkins, Appellant, vs. State of Maryland.

727

Appeal from the Court of Appeals of the State of Maryland.

THIS CAUSE came on to be heard on the transcript of the record from the Court of Appeals of the State of Maryland, and was duly submitted.

ON CONSIDERATION WHEREOF, It is now here ordered by this Court that the appeal herein be, and the same is hereby, dismissed for the want of a substantial federal question.

Per Mr. Chief Justice Vinson.

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The Chief Justice said:

"The other orders of the Court appear upon the list certified by the Chief Justice and filed with the Clerk and will not be announced [illegible]

ORDER

It is ordered that Maynard E. Pirsig, of Minneapolis, Minn., Dean of the Law School of the University of Minnesota, be, and he hereby is, appointed a member of the Advisory Committee, appointed by the order of June 3, 1935, and designated as a continuing Committee to advise the Court with respect to amendments or additions to the Rules of Civil Procedure for the District Courts of the United States, by the order of January 5, 1942, in the place of Wilbur H. Cherry, deceased.

Per Mr. Chief Justice Vinson.

In the Matter of Otto G. Cook.

No. _____

ON CONSIDERATION of the motion to amend the attorney roll to show the change of name of Otto G. Kuklinski to Otto G. Cook,

IT IS ORDERED by this Court that the said motion be, and it is hereby, granted.

Per Mr. Chief Justice Vinson.

The United States of America, Order allowing certiorari.

Petitioner,

648 vs.

Munsingwear, Inc.

The petition herein for a writ of certiorari to the United States Court of Appeals for the Eighth Circuit is granted. The case is transferred to the summary docket.

And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

The United States of America, Petitioner, vs. Munsingwear, Inc. — Order allowing certiorari.

649

The petition herein for a writ of certiorari to the United States Court of Appeals for the Eighth Circuit is granted. The case is transferred to the summary docket.

And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

George E. Eddy and Samuel Silbiger, Petitioners, vs. Prudence Bonds Corporation, et al. — On petition for writ of certiorari to the United States Court of Appeals for the Second Circuit.

546

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Second Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Clifford Dwane Helm, Petitioner, vs. State of Nevada. — On petition for writ of certiorari to the Supreme Court of the State of Nevada.

571

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of Nevada, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

The United States of America, Petitioner, vs. Pevely Dairy Company. 592

On petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Eighth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

The United States of America, Petitioner, vs. St. Louis Dairy Company. 593

On petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Eighth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Plainfield Hotel Corporation, Petitioner, vs. The City of Buffalo. 616

On petition for writ of certiorari to the United States Court of Appeals for the Second Circuit.

ON CONSIDERATION of the petitition for a writ of certiorari herein to the United States Court of Appeals for the Second Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Aurora G. Tamez, Independent Executrix of the Estate of R. I. Tamez, deceased,

Petitioner,

632 vs.

Tighe E. Woods, Housing Expediter, Office of the Housing Expediter.

On petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Fifth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Union Pacific Railroad Company,

Petitioner,

634 vs.

The United States.

On petition for writ of certiorari to the United States Court of Claims.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Claims, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Andrew Kjar,

Petitioner,

652 vs.

The United States of America.

On petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Fifth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Ring Construction Corporation,
Petitioner,
656 vs.
The Secretary of War of the United States.

On petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the District of Columbia Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Louisville and Jefferson County Metropolitan Sewer District,
Petitioner,
660 vs.
Bond Brothers.

On petition for writ of certiorari to the Court of Appeals of the Commonwealth of Kentucky.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Court of Appeals of the Commonwealth of Kentucky, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

The Commission of the Department of Public Utilities of the Commonwealth of Massachusetts,
Petitioner,
661 vs.
New York, New Haven and Hartford Railroad Company.

On petition for writ of certiorari to the United States Court of Appeals for the Second Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Second Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Nicholas W. Mathey,
Petitioner,
662 vs.
Commissioner of Internal Revenue.

On petition for writ of certiorari to the United States Court of Appeals for the First Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the First Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

The Baltimore and Ohio Railroad Company,
Petitioner,
665 vs.
Hopper Paper Company.

On petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Seventh Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Johnie Throckmorton,
Petitioner,
683 vs.
St. Louis-San Francisco Railway Company.

On petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Eighth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Willapoint Oysters, Inc.,

Petitioner,

280 vs.

Oscar R. Ewing, Administrator, et al.

ON CONSIDERATION of the motion for leave to file a petition for rehearing in this case,

IT IS ORDERED by this Court that the said motion for leave to file be, and it is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

William R. Mestice,

Petitioner,

552 vs.

Anthony Masi.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Cornelia Harris,

Petitioner,

596 vs.

Commissioner of Internal Revenue.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Everett Rheim,

Petitioner,

397, Misc. vs.

John A. Lyons, Commissioner.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

John Edwin Byers,

Petitioner,

337, Misc. vs.

Walter A. Hunter, Warden.

On petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Tenth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Paul L. Cromelin,

Petitioner,

392, Misc. vs.

The United States of America.

On petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Fifth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Eddie Mitchell, Petitioner, vs. People of the State of California, et al.

440, Misc.

On petition for writ of certiorari to the Supreme Court of the State of California.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of California, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Edward J. Sterba, Jr., Petitioner, vs. Judge Francis Borelli, et al.

442, Misc.

On petition for writ of certiorari to the Criminal Court of Cook County, of the State of Illinois.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Criminal Court of Cook County of the State of Illinois, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Arthur Rivers, Petitioner, vs. State of Indiana.

443, Misc.

On petition for writ of certiorari to the Circuit Court of St. Joseph County, of the State of Indiana.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Circuit Court of St. Joseph County, of the State of Indiana, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Jack Swoveland, Petitioner, vs. W. Frank Smyth, Jr., Supt. — On petition for writ of certiorari to the Supreme Court of Appeals, of the Commonwealth of Virginia.

444, Misc.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of Appeals of the Commonwealth of Virginia, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Edmond Arthur Rohde, Petitioner, vs. Joseph E. Ragen, Warden. — On petition for writ of certiorari to the Supreme Court of the State of Illinois.

447, Misc.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of Illinois, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Frank Barnes, Petitioner, vs. People of the State of Illinois. — On petition for writ of certiorari to the Supreme Court of the State of Illinois.

448, Misc.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of Illinois, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

George Ross Wagner, Petitioner, vs. Joseph E. Ragen, Warden.

451, Misc.

On petition for writ of certiorari to the Supreme Court of the State of Illinois.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of Illinois, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Henry Nelson, Petitioner, vs. Joseph E. Ragen, Warden.

452, Misc.

On petition for writ of certiorari to the Supreme Court of the State of Illinois.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of Illinois, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Anthony Adams, Petitioner, vs. Joseph E. Ragen, Warden.

461, Misc.

On petition for writ of certiorari to the Supreme Court of the State of Illinois.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of Illinois, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Emanuel Perrozzi, Petitioner, vs. Joseph E. Ragen, Warden. — On petition for writ of certiorari to the Circuit Court of Will County, of the State of Illinois.

465, Misc.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Circuit Court of Will County of the State of Illinois, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Emanuel Perrozzi, Petitioner, vs. Joseph E. Ragen, Warden. — On petition for writ of certiorari to the Criminal Court of Cook County, of the State of Illinois.

465, Misc.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Criminal Court of Cook County of the State of Illinois, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Emanuel Perrozzi, Petitioner, vs. Joseph E. Ragen, Warden. — On petition for writ of certiorari to the Supreme Court of the State of Illinois.

465, Misc.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of Illinois, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Theodore Wulsch,
Petitioner,
473, Misc. vs.
Browning Robinson, Warden.

On petition for writ of certiorari to the Circuit Court of Saint Clair County, of the State of Illinois.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Circuit Court of Saint Clair County of the State of Illinois, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Eugene K. Quillian,
Petitioner,
387, Misc. vs.
Joseph M. Sweeney, Sheriff, et al.

On petition for writ of certiorari to the Court of Appeals of the State of Ohio.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Court of Appeals of the State of Ohio, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas is of the opinion the petition should be granted.

Robert Woodall, A. K. A. Frank Woodall,
Petitioner,
388, Misc. vs.
Joseph M. Sweeney, Sheriff, et al.

On petition for writ of certiorari to the Court of Appeals of the State of Ohio.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Court of Appeals of the State of Ohio, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas is of the opinion the petition should be granted.

E. I. Du Pont de Nemours and Company, et al.,

Petitioners,

430, Misc. vs.

United States District Court for the Northern District of Illinois, et al.

ON CONSIDERATION of the motion for leave to file a petition for writ of mandamus and/or certiorari herein,

IT IS ORDERED by this Court that the said motion be, and it is hereby, denied.

Per Mr. Chief Justice Vinson.

Frederick Lee Spillman,

Petitioner,

455, Misc. vs.

J. Vernal Jackson, Warden.

ON CONSIDERATION of the motion for leave to file a petition for writ of certiorari herein,

IT IS ORDERED by this Court that the said motion be, and it is hereby, denied.

Per Mr. Chief Justice Vinson.

George Robert Slade,

Petitioner,

464, Misc. vs.

Emery E. Jacques, Warden.

ON CONSIDERATION of the motion for leave to file a petition for writ of habeas corpus herein,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

ORDER

IT IS ORDERED that paragraph 7 of rule 32 of the Rules of this Court be amended so as to read as follows:

"7. In pursuance of section 1911 of title 28 of the United States Code, the fees to be charged by the Clark of this Court are fixed as follows:

"(a) For docketing a case on appeal or petition for writ of certiorari or docketing any other proceeding, $100.00, to be increased to $150.00 in a case on appeal or writ of certiorari when oral argument is permitted.

"(b) For preparing the record for the printer, indexing the same, supervising the printing and distributing the printed copies to the justices, the reporter, the library, and the parties or their counsel, 20 cents per folio of each 100 words; but where the necessary printed copies of the record as printed for the use of the court below are furnished, charges under this item will be limited to any additions printed here under the clerk's supervision, plus a handling charge of $25.00 in cases in which oral argument is permitted.

"(c) For preparing, on filing, for the printer, petitions for writs of certiorari, briefs, jurisdictional statements or motions when required by the Rules, or at the request of counsel, when, in the opinion of the clerk, circumstances require, indexing the same, changing record references to conform to the pagination of the printed record, and supervising the printing, 20 cents per folio of each 100 words. Neither the expense of printing nor the clerk's supervising fee shall be allowed as costs in the case.

"(d) For making a copy (except a photographic reproduction) of any record or paper, and comparison thereof, 40 cents per page of 250 words or fractions thereof; for comparing for certification a copy (except a photographic reproduction) of any record or paper when such copy is furnished by the person requesting its certification, 10 cents for each page of 250 words or fraction thereof.

"For comparing with the original thereof any photographic reproduction of any record or paper, when furnished by the person requesting its certification, 5 cents for each page.

"(e) For a certificate and seal, $3.00.

"(f) For an admission to the Bar and certificate under seal, $25.00.

"(g) For a duplicate certificate of an admission to the Bar under seal, $10.00."

IT IS FURTHER ORDERED that this order shall apply to cases docketed on or after May 1, 1950.

ORDER

IT IS ORDERED that the concluding sentence of paragraph 9 of Rule 13 of the Rules of this Court be amended so as to read as follows:

"The fees of the clerk under Rule 32, paragraph 7, shall be computed on the folios in the record as printed, and shall be in full for the performance of his duties in that regard."

IT IS FURTHER ORDERED that this order shall apply to cases docketed on or after May 1, 1950.

ORDER

The Clerk is directed to abandon the practice of awarding an attorney's docket fee except as provided by statute in admiralty cases.

This order shall apply to cases docketed on and after May 1, 1950.

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Proclamation being made the Court is adjourned until Monday, May 1, next, at 12 o'clock.

MONDAY, MAY 1, 1950.

Pursuant to adjournment the Court met at the Supreme Court Building.

PRESENT:

The Honorable Fred M. Vinson, Chief Justice,
Hugo L. Black,
Felix Frankfurter,
William O. Douglas,
Robert H. Jackson,
Harold H. Burton,
Tom C. Clark,
Sherman Minton.
Associate Justices,

Thomas Ennalls Waggaman, Esquire, Marshal,

Charles Elmore Cropley, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Solicitor General Philip B. Perlman, It is ordered that Benj. G. Habberton, Esquire, of Dallas, State of Texas, and Arad McCutchan Riggs, Esquire, of New York, State of New York, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Tom Connally, It is ordered that Rogers C. Kelley, Esquire, of Edinburg, State of Texas, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Guy Cordon, It is ordered that John B. Ebinger, Esquire, of Klamath Falls, State of Oregon, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. James Hardin Peterson, It is ordered that B. G. Langston, Esquire, of Lakeland, State of Florida, and William J. Bivens, Esquire, of Saint Augustine, State of Florida, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Henry P. Chandler, It is ordered that Charles H. Thompson, Esquire, of Harrisburg, State of Illinois, and Geo. B. Lee, Esquire, of Harrisburg, State of Illinois, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Sam Clammer, It is ordered that Jesse D. Davis, Esquire, of Tulsa, State of Oklahoma, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Stanfield B. Johnson, It is ordered that Albert Theodore Suter, Esquire, of San Francisco, State of California, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. William Wallace Cochran, It is ordered that Harry W. Lindsey, Jr., Esquire, of Chicago, State of Illinois, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Paul A. Barron, It is ordered that Curtis F. McClane, Esquire, of New York, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Francis Dennis Flanagan, It is ordered that Edmond J. Shea, Esquire, of Lackawanna, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. C. Nils Tavares, It is ordered that Rhoda V. Lewis, of Honolulu, Territory of Hawaii, be admitted to practice as an Attorney and Counsellor of this Court, and she was sworn accordingly. (Miss)

On motion first made to the Court in this behalf by Mr. Philip A. Walker, It is ordered that R. deS. Shryock, Esquire, of Philadelphia, Commonwealth of Pennsylvania; Edward T. Kenny, Esquire, of New York, State of New York; and E. Kendell Davis, Esquire, of Sacramento, State of California, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Louis F. Oberdorfer, It is ordered that Louis Eisenstein, Esquire, of Washington, District of Columbia, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Seymour Guthman, It is ordered that Solomon B. Rosenzweig, Esquire, of Chicago, State of Illinois, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Thayer Chapman, It is ordered that Alan B. Todd, Esquire, of New York, State of New York, and Carl R. Lauritsen, Esquire, of Elsa, State of Texas, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. L. Aldrich Hall, It is ordered that Frank Ray Anderson, Esquire, of Falls Church, Commonwealth of Virginia, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

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The Chief Justice announced the following orders of the Court:

Hartness Flowers,

Appellant,

427 vs.

State of Mississippi.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, granted.

Per Mr. Chief Justice Vinson.

Hartness Flowers, Appellant, vs. State of Mississippi. — Appeal from the Supreme Court of the State of Mississippi.

427

THIS CAUSE came on to be heard on the transcript of the record from the Supreme Court of the State of Mississippi, and was duly submitted.

ON CONSIDERATION WHEREOF, It is now here ordered by this Court that the appeal herein be, and the same is hereby, dismissed for the want of jurisdiction.

Per Mr. Chief Justice Vinson.

Hartness Flowers, Appellant, vs. State of Mississippi. — Appeal from the Supreme Court of the State of Mississippi.

427

TREATING the appeal papers herein from the Supreme Court of the State of Mississippi as an application for a writ of certiorari;

ON CONSIDERATION WHEREOF, it is ordered by this Court that the said application for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Black and Mr. Justice Douglas are of the opinion certiorari should be granted.

David Franklin,

Appellant,

687 vs.

J. Walker Harper, C. Nolan Bowden and G. E. Murphey.

Appeal from the Supreme Court of the State of Georgia.

THIS CAUSE came on to be heard on the transcript of the record from the Supreme Court of the State of Georgia, and on motion to dismiss, which was duly submitted.

ON CONSIDERATION WHEREOF, It is now here ordered by this Court that the motion to dismiss the appeal herein be, and the same is hereby, granted.

IT IS FURTHER ORDERED that the appeal in this cause, be, and the same is hereby, dismissed for the want of a substantial federal question.

Per Mr. Chief Justice Vinson.

The United States of America and Interstate Commerce Commission,

Appellants,

713 vs.

The Texas and Pacific Motor Transport Company; and

Regular Common Carrier Conference of America Trucking Associations, Inc.,

Appellant,

714 vs.

The Texas and Pacific Motor Transport Company.

The statements of jurisdiction in these cases having been submitted and considered by the Court, probable jurisdiction is noted. The cases are transferred to the summary docket and assigned for argument immediately following No. 654, United States, et al. vs. Rock Island Motor Transit Company, et al.

Per Mr. Chief Justice Vinson.

The United States of America, Petitioner, Order allowing certiorari.

584 vs.

Security Trust and Savings Bank of San Diego, Executor, etc., et al.

The petition herein for a writ of certiorari to the District Court of Appeal of California, Fourth Appellate District is granted.

And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

The United States of America, Petitioner, Order allowing certiorari.

585 vs.

Security Trust and Savings Bank of San Diego, Executor, etc., et al.

The petition herein for a writ of certiorari to the District Court of Appeal of California, Fourth Appellate District is granted.

And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

The United States of America, Petitioner, Order allowing certiorari.

586 vs.

Security Trust and Savings Bank of San Diego, Executor, etc., et al.

The petition herein for a writ of certiorari to the District Court of Appeal of California, Fourth Appellate District, is granted.

And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

The United States of America, Petitioner,

587 vs.

Security Trust and Savings Bank of San Diego, Executor, etc., et al.

Order allowing certiorari.

The petition herein for a writ of certiorari to the District Court of Appeal of California, Fourth Appellate District, is granted.

And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

The Great Atlantic and Pacific Tea Company, Petitioner,

686 vs.

Supermarket Equipment Corporation, Substituted for Evelyn B. Bradley and Joe Weingarten.

Order allowing certiorari.

The petition herein for a writ of certiorari to the United States Court of Appeals for the Sixth Circuit is granted. The case is transferred to the summary docket.

And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

The Chief Justice said:

"The other orders of the Court appear upon the list certified by the Chief Justice and filed with the Clerk and will not be announced orally."

Duncan Coffee Company, Petitioner, vs. Reconstruction Finance Corporation. 542

On petition for writ of certiorari to the United States Emergency Court of Appeals.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Emergency Court of Appeals, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Local 56, International Fishermen and Allied Workers of America, et al., Petitioners, vs. The United States of America. 562

On petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Ninth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

William L. Burns and Mable Burns, Petitioners, vs. The Mutual Benefit Life Insurance Company of Newark, New Jersey. 651

On petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Sixth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mary Kathryn Castle Steinway, Petitioner,
658 vs.
Majestic Amusement Company, Hotel Frontier, Inc., et al.

On petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Tenth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Insurance Company of North America, Petitioner,
668 vs.
Carl T. Howe.

On petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Sixth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

The Hygienic Products Company, Petitioner,
672 vs.
Judson Dunaway Corporation.

On petition for writ of certiorari to the United States Court of Appeals for the First Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the First Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Judson Dumaway Corporation,
Petitioner,
681 vs.
The Hygienic Products Company.

On petition for writ of certiorari to the United States Court of Appeals for the First Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the First Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Nellie Ione Gray, Evlyn Levison, A. C. McLaughlin, et al.,
Petitioners,
673 vs.
Ambrose Oldland, Carrie Knowles, et al.

On petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Tenth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

William M. Jones and O. (Ora) King,
Petitioners,
679 vs.
A. (Ace) Gutowsky.

On petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Tenth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Noble C. Powell,

Petitioner,

688 vs.

Rowland W. Young.

On petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Fifth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

M. and M. Transportation Company, suing on its behalf and all other Interstate Motor Carriers Operating to and from and through the City of New York,

Petitioner,

692 vs.

City of New York, Lazarus Joseph, as Comptroller of the City of New York, et al.

On petition for writ of certiorari to the Court of Appeals of the State of New York.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Court of Appeals of the State of New York, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

E. H. Albrecht, et al.,

Petitioners,

694 vs.

Indiana Harbor Belt Railroad Company.

On petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Seventh Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Bentley S. Handwork, et al., Individually and as Trustees, etc.,

Petitioners,

695 vs.

Horace A. Young, as Trustee in Bankruptcy of the Estate of George R. Joslyn, Bankrupt.

On petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Seventh Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Bentley S. Handwork, et al., Individually and as Trustees, etc.,

Petitioners,

696 vs.

Horace A. Young, as Trustee in Bankruptcy of the Estate of George R. Joslyn, Bankrupt.

On petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Seventh Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

The Charter Oak Fire Insurance Company and United States Fire Insurance Company of New York,

Petitioners,

733 vs.

Harry J. Gerrity and Blanche Hunt Gerrity.

On petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the District of Columbia Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Armand Gregoire, Petitioner,

674 vs.

Francis Biddle, Tom C. Clark, et al.

On petition for writ of certiorari to the United States Court of Appeals for the Second Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Second Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Clark took no part in the consideration or decision of this application.

Garfield A. Berlinsky, Petitioner,

697 vs.

Tighe E. Woods, Housing Expediter, Office of Housing Expediter, et al.

ON CONSIDERATION of the motion to dispense with printing the petition and record in this case,

IT IS ORDERED by this Court that the said motion be, and it is hereby, granted.

Per Mr. Chief Justice Vinson.

Garfield A. Berlinsky, Petitioner,

697 vs.

Tighe E. Woods, Housing Expediter, Office of Housing Expediter, et al.

On petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Fourth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Eugene Dennis,

Petitioner,

14 vs.

The United States of America.

ON CONSIDERATION of the motion of O. John Rogge and Benedict Wolf for leave to file brief as amici curiae in support of the petition for rehearing in this case,

IT IS ORDERED by this Court that the said motion be, and it is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas and Mr. Justice Clark took no part in the consideration or decision of this application.

Eugene Dennis,

Petitioner,

14 vs.

The United States of America.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas and Mr. Justice Clark took no part in the consideration or decision of this application.

Commodities Trading Corporation, et al.,

Petitioners,

163 vs.

The United States, and

The United States,

Petitioner,

156 vs.

Commodities Trading Corporation, et al.

A petition for rehearing having been filed in these cases,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Justice Black.

The Chief Justice and Mr. Justice Douglas took no part in the consideration or decision of this application.

Railway Labor Executives' Association,

Appellant,

337 vs.

The United States of America, et al.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Justice Black.

The Chief Justice and Mr. Justice Douglas took no part in the consideration or decision of this application.

Fred Tate,

Petitioner,

301, Misc. vs.

Robert A. Heinze, Warden.

A second petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

David Almeida,

Petitioner,

373, Misc. vs.

Commonwealth of Pennsylvania.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Richard Anderson Lowe,

Petitioner,

324, Misc. vs.

George D. Killinger, etc., et al.

On petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the District of Columbia Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

James Arrington,

Petitioner,

422, Misc. vs.

State of Alabama.

On petition for writ of certiorari to the Supreme Court of the State of Alabama.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of Alabama, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Paul Lee Holt, Petitioner, vs. People of the State of California, et al.

441, Misc.

On petition for writ of certiorari to the Supreme Court of the State of California.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of California, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Robert Young, Petitioner, vs. People of the State of California, et al.

454, Misc.

On petition for writ of certiorari to the Supreme Court of the State of California.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of California, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

William Lester Keith, Petitioner, vs. W. C. Miller, Warden.

468, Misc.

ON CONSIDERATION of the motion for leave to file a petition for writ of certiorari herein,

IT IS ORDERED by this Court that the said motion be, and it is hereby, denied.

Per Mr. Chief Justice Vinson.

Julius Edward Epple,

Petitioner,

470, Misc. vs.

Clinton T. Duffy, Warden.

ON CONSIDERATION of the motion for leave to file a petition for writ of habeas corpus herein,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Joseph Hobbs, Jr.,

Petitioner,

471, Misc. vs.

Edwin T. Swenson, Warden.

ON CONSIDERATION of the motion for leave to file a petition for writ of habeas corpus herein,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

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Proclamation being made the Court is adjourned until Monday, May 8, next, at 12 o'clock.

MONDAY, MAY 8, 1950.

Pursuant to adjournment the Court met at the Supreme Court Building.

PRESENT:

The Honorable Fred M. Vinson, Chief Justice,
Hugo L. Black,
Stanley Reed,
Felix Frankfurter,
William O. Douglas,
Robert H. Jackson,
Harold H. Burton,
Tom C. Clark,
Sherman Minton.
Associate Justices,

Thomas Ennalls Waggaman, Esquire, Marshal,

Charles Elmore Cropley, Clerk.

Proclamation being made the Court is opened.

MONDAY, MAY 8, 1950 193

SUPREME COURT OF THE UNITED STATES

Present: Mr. Chief Justice Vinson, Mr. Justice Black, Mr. Justice Reed, Mr. Justice Frankfurter, Mr. Justice Douglas, Mr. Justice Jackson, Mr. Justice Burton, Mr. Justice Clark, and Mr. Justice Minton.

Mr. Solicitor General Perlman addressed the Court as follows:

"May it please this Honorable Court: At a meeting of members of the bar of the Supreme Court, held on November 4, 1949, resolutions expressing their profound sorrow at the death of Chief Justice Charles Evans Hughes were offered by a committee, of which the Honorable John W. Davis was chairman. Addresses on the resolutions were made by former Governor Nathan L. Miller of New York; former New York Appellate Division Justice Joseph M. Proskauer; the Honorable Charles Cheney Hyde, Professor Emeritus of International Law at Columbia University and Solicitor of the Department of State during the period when Mr. Hughes was Secretary of that Department; and the Honorable John Lord O'Brian, former Assistant Attorney General of the United States, and a long-time associate of the late Chief Justice in many legal and political affairs before his elevation to the bench. The resolutions, adopted unanimously, are as follows:

"RESOLUTIONS

"On the 27th of August 1948 in the Eighty-seventh year of his life, Charles Evans Hughes, eleventh Chief Justice of the United States, departed this life. He had laid down the burdens of his great office 'for reasons of health and age,' as he said, on July 1, 1941. He carried however into his retirement and retained until his death the widespread admiration and affection which he had earned by a lifetime of devoted services to his profession and his country.

"We, members of the bar of the Supreme Court, meet today to place on record our estimate of the man and our appraisal of his labors.

"His career belongs to history and we do not attempt to chronicle all of its incidents. Born of intellectual and cultured parents, he was trained by them in boyhood in the use of his exceptional mind. He early proved his mental power by consistently winning honors and distinction in his educational life. In 1884 when but 22 years of age he was admitted to the bar of the State of New York and from that time until his death, no matter how tempted to other pursuits, he remained a servant of the law.

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On motion first made to the Court in this behalf by Mr. Ernest W. McFarland, It is ordered that Marshall W. Haislip, Esquire, of Phoenix, State of Arizona, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Fritz G. Lanham, It is ordered that Jno. W. Turner, Esquire, of Eastland, State of Texas, and Davis Scarborough, Esquire, of Abilene, State of Texas, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Solicitor General Philip B. Perlman, It is ordered that Robert G. Maysack, Esquire, of Saint Louis, State of Missouri, and Clifford F. Hansen, Esquire, of Minneapolis, State of Minnesota, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Robert V. Fletcher, It is ordered that William Don Welch, Esquire, of Madill, State of Oklahoma, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Miss Helen Newman, It is ordered that Helen E. Creighton, of Washington, District of Columbia, be admitted to practice as an Attorney and Counsellor of this Court, and she was sworn accordingly. (Miss)

On motion first made to the Court in this behalf by Mr. Homer D. Angell, It is ordered that Felix Jack Dees, Esquire, of Portland, State of Oregon, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Josiah F. Henry, Jr., It is ordered that George Spencer Barnes, Esquire, of Chicago, State of Illinois, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

"Upon his admission he entered the employ of the firm of Chamberlain, Carter & Hornblower in the City of New York and four years later after he had become a partner he married Miss Antoinette Carter, daughter of the senior member of the firm. It was a most fortunate choice and she remained his beloved companion until her death in 1945 left a void that could not be filled.

"He early interrupted his increasingly busy life at the bar by two years as a law teacher at Cornell University. And within little more than a decade after returning to the practice, he won public acclaim as counsel for committees of the Legislature of New York in the investigation of the gas and insurance companies.

"Comparatively young and relatively unknown, he demonstrated an extraordinary capacity in dealing with complicated accounts, and in ascertaining and revealing the existence of abuses and framing legislation designed to prevent their continuance or recurrence. In the investigation of the life insurance companies especially, he attracted favorable public attention throughout the land and was given principal credit for exposing and eradicating the illegal and objectionable practices that were then prevalent. His outstanding contribution in a matter of such vital Nation-wide importance soon reaped its deserved reward. Without his seeking, he was nominated and elected as Governor of the State in 1906 and reelected in 1908. Toward the end of his second gubernatorial term he was called by President Taft to the bench of the Supreme Court. This office he resigned after six years to become the Republican nominee for the presidency in 1916, and upon his defeat in the ensuing campaign he once more returned to active practice at the bar. In 1921 President Harding named him as Secretary of State. After four years in that office he again took on the work of a practicing lawyer. In 1928 he was elected a judge of the permanent Court of International Justice but retired from that position when President Hoover in 1930 nominated him for the Chief Justiceship.

"It is notable that in all this chain of events he followed the rule, laid down by Benjamin Franklin, never to seek a public office and never to refuse one when offered. It could never be said of him that he was greedy for office. No nomination or appointment came to him of his own seeking. And his various terms of service were ended by his resignation. Thus he resigned as Governor to become a Justice of the Supreme Court; he resigned as Justice of the Supreme Court to become a nominee for the Presidency; he resigned as Secretary of State upon the election of President Coolidge; he resigned as Judge of the International Court to become Chief Justice of the United States.

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"When his biography comes to be written, it will be easy for the author to cull from his many opinions, speeches, and writings, passages that fully develop his philosophy of life. He was a self-contained and self-reliant man; never a silent one, yet not given overmuch to self-disclosure. But it is clear that from his earliest days he entertained a deep-rooted reverence for equal justice under law. This was his ideal, this his guiding star, this his lifetime ambition to which he gave frequent expression and which he pursued with unswerving devotion both on the bench and at the bar.

"In the great speech which he delivered at London, in Westminster Hall in 1924, on behalf of the American Bar Association, he gave eloquent utterance to his creed. Said he:

" 'The fundamental conception which we especially cherish as our heritage is the right to law itself, not as the edict of arbitrary power but as the law of a free people, springing from custom, responsive to their sense of justice, modified and enlarged by their free will to meet conscious needs and sustained by authority which is itself subject to the law—the law of the land. * * * We of the common law respect authority but it is the authority of the legal order. We respect those who in station high or humble execute the law—because it is our law. We esteem them but only as they esteem and keep within the law.'

"Even in private life he was not spared from public demands, as when President Wilson called on him to survey the aircraft program during World War I, or when in 1926 he headed a successful commission to reorganize the administrative agencies of the state. It was but natural, too, that his professional brethren should constantly call on him to lead and vitalize their various organizations. At one time or another he was President of the Association of the Bar of the City of New York, of the New York County Lawyers Association, of the New York State Bar Association, and of the American Bar Association.

"His exalted conception of a lawyer's duty is illustrated by the fact that upon his resumption of practice after his campaign for the Presidency of the United States one of his first acts was to accept the presidency of the Legal Aid Society of New York City. The present usefulness of that organization is due in large part to the impetus he gave it. His idea of its purpose he stated in these words:

" 'We are trying to make firm the foundations of the Republic through confidence in the administration of justice; through love of country; not of the flag in a sentimental way—that is well enough—but through love of the institutions of the country; in respect for the judicial institutions of the country and by the determination that when

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we say we will regard neither rich nor poor we mean not simply impartiality and integrity of courts; we mean actual advice, representation, the power of the expert bar, the strong man of democracy at the service of the weak.'

"Another incident illustrating his conception of a lawyer's duty occurred when the Assembly of the State of New York passed in 1920 a resolution expelling five members of the Socialist Party who had been regularly elected to that body. At once he stepped forward as the spokesman of public right and denounced the proceeding as thoroughly un-American. In a ringing open letter to the Speaker of the Assembly he wrote:

"'* * * it is absolutely opposed to the fundamental principles of our government for a majority to undertake to deny representation to a minority through its representatives elected by ballots lawfully cast. If there was anything against these men as individuals * * * they should be charged accordingly.

"'But I understand that the action is not directed against these five elected members as individuals, but that the proceeding is virtually an attempt to indict a political party and to deny it representation in the Legislature. That is not, in my judgment, American government.'

"Be it said to the credit of the bar associations of the State and city, that, following the lead he gave them, they joined him in a no less ardent protest.

"As an advocate at the bar he was earnest, forceful, and persuasive; in counsel, wise and exact. He possessed an extraordinary memory and a great capacity for the analysis of complicated facts and the determination of their weight and consequence. He gave to every case exhaustive scrutiny and could never be taken unawares or unprepared. One who had large opportunity to observe him and other famous lawyers of his day has said: 'He was a man whose equal I have never seen at the bar.'

"These faculties, together with a tireless industry, he carried with him to the bench. There, as his successor in office has said, 'He was fired by a passion for prompt and faithful performance of the work of the Court.' The word 'passion' is particularly well chosen. To comment at this moment upon all the opinions which he rendered would be impossible, and selection of those foremost in importance would be hardly less difficult. He reasoned cogently and wrote clearly with a minimum of striving for literary ornament or display. But he served at a time when great and novel questions were to the fore. He took a large and statesmanlike view of the function of the Court and was determined that no act or word of his should lessen its dignity or usefulness.

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"He evidenced his jealous concern for the Court as an institution when the bill affecting the membership of the Court came forward during his term as Chief Justice. The measure was promoted on the ground, among others, that the efficiency of the Court would be improved by an enlargement of its membership. He reacted strongly to the implied reflection on the then efficiency of the Court and his letter on the subject to Senator Wheeler was probably a large contribution to the defeat of the bill.

"His colleagues on the Court have spoken from time to time in praise of the manner in which he conducted the deliberations of the Court. How great was his contribution in conference they best can know. But the members of the bar who stood before him cannot forget his urbanity, his attentiveness, his helpfulness, nor the manner, at all times kindly but nevertheless firm, in which he recalled a wandering advocate to the issues at hand.

"Few men have ever been called upon to serve their country in such high offices and for such extended periods. None has ever served with more conscientious fidelity. As a lawyer, as a statesman and as a jurist, he labored well and left behind him so splendid a record of achievement that his professional brethren who were privileged to witness its creation will always regard it as an inspiration to greater effort.

"*Wherefore, Be It Resolved*, That we, the members of the bar of the Supreme Court of the United States, express our sorrow that the long life of former Chief Justice Hughes has reached its end. We record our high appreciation of his great qualities of mind and heart, our full recognition of his many public services to his country and our deep gratitude for the lustre that he shed by his life and character upon the profession which he so adorned.

"*Be It Also Resolved*, That the Attorney General be asked to present these resolutions to the Court and to request that they be permanently inscribed upon its record."

Mr. Attorney General McGrath addressed the Court as follows:

"May it please the Court: Five times within the last forty years, within the personal experience of some now present here today, this Court has met to receive the Minute and Resolutions of its Bar to mark the passing of a Chief Justice of the United States.

"Today your Honors meet to mourn Charles Evans Hughes, the eleventh Chief Justice, and to commemorate, in fitting and reverent fashion, his life and his judicial services.

"This would be, in any event, a solemn occasion. But it is additionally marked with sadness by reason of the untimely death, since

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the meeting of the Bar of this Court in November last, of the late Chief Justice's only son, Charles Evans Hughes the younger, one time able Solicitor General of the United States.

"The Minute and the Resolutions of the Bar which have been read, and the addresses which were made in November, outlined Chief Justice Hughes' career, at the bar, in public office, and on this bench. I shall not attempt even to summarize what was there so eloquently and so gracefully said, and, since I did not have the privilege of acquaintance with the late Chief Justice, there are no personal touches which I could add to what was said by those who knew him. But I venture to think that it would not be inappropriate if I were to suggest, however briefly, an appraisal of those qualities which contributed to his eminence among those very eminent men who preceded him in the Chief Justiceship.

"First of all, Charles Evans Hughes came to this Court the second time with a wide and varied experience in public life. He had been Governor of his State. He had been a candidate for President—and the nomination came to him unsought. He had been Secretary of State, directing the foreign relations of this country during the critical years that followed the end of the First World War. He had been counsel for investigatory bodies of his State legislature, and had conducted the wartime investigation of the aircraft industry. He had been for six years a Justice of this Court, and had been a member of the Permanent Court of International Justice as well. He was thus superbly equipped to preside over a tribunal which is, necessarily and inescapably, the final arbiter between the claims of the individual and those of government, as well as between the powers of the States and those of the Nation. It is precisely because the resolution of those fundamental questions involves judgments that are political in the larger sense that judges with first-hand experience in legislative and executive and administrative tasks have been in the forefront of those who have left a lasting impress on our constitutional law.

"Second, Chief Justice Hughes was a consummate lawyer. As one of his associates has said, he 'could tear the heart out of books because all his life he had been a student.' With the exception of two years of law teaching as a young man, all of his life when not in public office was devoted to the practice—the very active practice—of the law. His handling of cases was characterized by a complete mastery of the facts and of the law, and by powerful and persuasive advocacy. The same qualities characterized his opinions in this Court. A Hughes opinion stands up under the most searching analysis and after-scrutiny, and its style is, very literally, the man himself: well-organized thoroughly logical, rolling onward in powerful sentences to an irresistible conclusion.

On motion first made to the Court in this behalf by Mr. Ernest W. McFarland, It is ordered that Marshall W. Haislip, Esquire, of Phoenix, State of Arizona, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Fritz G. Lanham, It is ordered that Jno. W. Turner, Esquire, of Eastland, State of Texas, and Davis Scarborough, Esquire, of Abilene, State of Texas, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Solicitor General Philip B. Perlman, It is ordered that Robert G. Maysack, Esquire, of Saint Louis, State of Missouri, and Clifford F. Hansen, Esquire, of Minneapolis, State of Minnesota, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

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On motion first made to the Court in this behalf by Miss Helen Newman, It is ordered that Helen E. Creighton, of Washington, District of Columbia, be admitted to practice as an Attorney and Counsellor of this Court, and she was sworn accordingly. (Miss)

On motion first made to the Court in this behalf by Mr. Homer D. Angell, It is ordered that Felix Jack Dees, Esquire, of Portland, State of Oregon, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Josiah F. Henry, Jr., It is ordered that George Spencer Barnes, Esquire, of Chicago, State of Illinois, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

"Finally, Chief Justice Hughes had the indispensable quality of integrity. A man of principles and quite without fear, he never chose the path that was merely easy. He knew that the greatest evils follow a compromise with or an appeasement of evil. And so he espoused and defended causes because of their merits wholly irrespective of public acclaim. Hughes' career throughout exemplifies what Mr. O'Brian has so well expressed, a 'disdain for considerations of expediency.'

"When, therefore, some dozen or so years ago, the country was in the throes of a grave constitutional crisis, it was fortunate indeed, from whatever point of vantage that crisis is viewed, that Charles Evans Hughes was Chief Justice. I have no wish, least of all in this Chamber, to revive the emotions which it evoked, or even to recall the broad outlines of the struggle. But viewing the matter in retrospect, realizing that the conflict was either one that both sides would lose or that both sides would win, I think it both fair and accurate to say that to Chief Justice Hughes must go much of the credit for the ultimate outcome, which not only preserved our most cherished institutions but yet adapted them to the manifold needs of an increasingly complex society. Like the common law worthies of old, Hughes summed up the law, restated it, adapted it, and passed it on, making it serve the demands of the present, yet preserving its continuity with the past and its capacity for growth in the future. And, like Marshall, Hughes was ever mindful that 'it is a constitution we are expounding' (4 Wheaton 407).

"For Hughes himself the process involved very little back-tracking. He had written eloquent dissents in the Railroad Retirement Act case (*Retirement Board* v. *Alton R. Co.*, 295 U. S. 330) and in the New York minimum wage case (*Morehead* v. *New York ex rel. Tipaldo*, 298 U. S. 587); the views he expressed there did not later need to be changed. He had similarly, in the first Guffey Coal Act case (*Carter* v. *Carter Coal Co.*, 298 U. S. 238), set forth a basis for sustaining the statute which the majority struck down. Possibly his most questionable utterance, in the light of later decisions, was the commerce clause portion of his opinion in the Schecter case (*Schecter Corp* v. *United States*, 295 U. S. 495); as to that, it is probably sufficient to say that no member of the Court expressed any contemporaneous disagreement with what was there said. And of course his views on civil liberties were consistently liberal, from the days of *Bailey* v. *Alabama* (219 U. S. 219) during his first service on the bench, through a whole series of land-mark cases, whose mere listing is a temptation which I must resist, though with regret, down to *Mitchell* v. *United States* (313 U. S. 80), decided in his last term of Court.

On motion first made to the Court in this behalf by Mr. Ernest W. McFarland, It is ordered that Marshall W. Haislip, Esquire, of Phoenix, State of Arizona, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

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On motion first made to the Court in this behalf by Mr. Homer D. Angell, It is ordered that Felix Jack Dees, Esquire, of Portland, State of Oregon, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Josiah P. Henry, Jr., It is ordered that George Spencer Barnes, Esquire, of Chicago, State of Illinois, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

"It would be tempting, too, to dwell upon Chief Justice Hughes' work as presiding officer of the Court, of his contribution to the formulation and promulgation of the Rules of Procedure, and of his relation to the functioning of the entire Federal judicial system through the Conference of Senior Circuit Judges and the Administrative Office of the United States Courts. But my time is fleeting, and I must leave untouched this and many other fields in which the late Chief Justice labored and left his mark.

"Few men, in our or any other age, have packed so much and such superlative accomplishment into a single lifetime as did Charles Evans Hughes. Today, on this occasion, we are perhaps more immediately concerned with his accomplishments as Chief Justice. We know now—indeed, we knew during his lifetime—that he was a great Chief Justice. And as the years pass, as the immediate past recedes to a point where it can be viewed with more perspective, so that the constitutional problems of the 1930's can be examined with at least some of the detachment with which we examine those of, let us say, the 1850's, then, I venture to predict, the name of Charles Evans Hughes will be linked with those of Marshall and Taney on the list of the greatest expounders of our fundamental law.

"May it please the Court: On behalf of the bar of this Court, who in this matter speak for all the lawyers in the land, I move that the Minute and Resolutions heretofore presented in memory of Chief Justice Hughes be accepted, and that, together with the chronicle of these proceedings, they be spread upon the permanent records of this Court."

The Chief Justice said:

"Mr. Attorney General: The Court receives the resolutions which you present in the confidence that they express the appreciation of his career which Chief Justice Hughes would most have welcomed. For he regarded 'the esteem of his professional brethern' as 'the highest reward that can come to a lawyer.' And in such qualifications as you have mentioned, experience, ability and integrity, he recognized the only possible foundations for such esteem. The favorable judgment of one's fellows at the Bar, he said, is 'commanded solely by integrity of character and by brains and skill in the honorable performance of professional duty * * *. No manipulator or negotiator can secure it. It is essentially a tribute to a rugged independence of thought and intellectual honesty which shine forth amid the clouds of controversy. It is a tribute to exceptional power controlled by conscience and by a sense of public duty.' Such a tribute, so fittingly recorded in the resolutions which have just been read, could hardly be more genuinely merited than by the attainments of position, character, and intellect achieved by Charles Evans Hughes.

On motion first made to the Court in this behalf by Mr. Ernest W. McFarland, It is ordered that Marshall W. Haislip, Esquire, of Phoenix, State of Arizona, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Fritz G. Lanham, It is ordered that Jno. W. Turner, Esquire, of Eastland, State of Texas, and Davis Scarborough, Esquire, of Abilene, State of Texas, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

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On motion first made to the Court in this behalf by Mr. Homer D. Angell, It is ordered that Felix Jack Dees, Esquire, of Portland, State of Oregon, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Josiah P. Henry, Jr., It is ordered that George Spencer Barnes, Esquire, of Chicago, State of Illinois, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

"When he took his seat as eleventh Chief Justice of the United States, Charles Evans Hughes was no stranger to lofty judicial or executive post. The impressive list of public offices he held will bear another brief repetition. He had been a Judge of the Permanent Court of International Justice, a Member of the Permanent Court of Arbitration, and for six terms commencing in 1910, a member of this Court. In the executive branch of the national Government, he had been Secretary of State in two administrations, and the nominee of his Party for President. In his native New York, after spectacularly successful years as counsel to investigative committees, he was twice elected Governor. Each of these positions he fulfilled with unique distinction.

"This career of public service, rare in the rich variety of its prizes, should not induce neglect of Chief Justice Hughes' achievements as a practicing member of the Bar. His law firm was quick to accord its recognition to him. At the time he began his public career, when he was in his early forties, he was in the topmost rank of the New York Bar. In his subsequent period of private practice, he of course enjoyed the prestige of the Governship and Justiceship he had held. But the qualities of his intelligence and character were chiefly responsible for the vigor and breadth of his advocacy which won for him the acknowledged leadership of the American practicing Bar. Charles Evans Hughes was a great lawyer before he became a great judge.

"What was the fusion of inner forces which produced such a man? The answer cannot be simple and may be put in an infinite variety of ways. In your remarks, Mr. Attorney General, and in the resolutions which have been read, some elements of that fusion have been eloquently expressed. To me, Chief Justice Hughes' primary attribute was balance, a perfect union of opposing tendencies. He was thinker and doer, scholar and politician. Absolute master he was of law, both law as written in the books and law as lived through functioning social institutions. His efficiency was superb, but it was tempered by a zealous humanitarianism.

"His magnificent efficiency of thought and administration has been most emphasized. The reach of his intellectual and executive abilities was extensive, incisive, and profound. Best of all, it was subject to rigorous self-control. His superlative talents for receiving and retaining ideas, for analyzing and applying legal principles, gave ready obedience to the most drastic of self-imposed disciplines. But his mastery of self was not subservient to a narrowing approach nor an unchanging position. Always he was alert to recognize and utilize better tenets and techniques. He knew when to reform as well as when to preserve. His understanding encompassed the ultimate possibilities as well as the practical probabilities.

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On motion first made to the Court in this behalf by Mr. Ernest W. McFarland, It is ordered that Marshall W. Haislip, Esquire, of Phoenix, State of Arizona, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Fritz G. Lanham, It is ordered that Jno. W. Turner, Esquire, of Eastland, State of Texas, and Davis Scarborough, Esquire, of Abilene, State of Texas, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

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On motion first made to the Court in this behalf by Mr. Robert V. Fletcher, It is ordered that William Don Welch, Esquire, of Madill, State of Oklahoma, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Miss Helen Newman, It is ordered that Helen E. Creighton, of Washington, District of Columbia, be admitted to practice as an Attorney and Counsellor of this Court, and she was sworn accordingly. (Miss)

On motion first made to the Court in this behalf by Mr. Homer D. Angell, It is ordered that Felix Jack Dees, Esquire, of Portland, State of Oregon, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Josiah F. Henry, Jr., It is ordered that George Spencer Barnes, Esquire, of Chicago, State of Illinois, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

"So obvious and manifold were his abilities that the spirit in which they were applied is sometimes slighted. Charles Evans Hughes was a humanitarian. He sought to mitigate suffering. The first modern workmen's compensation law was a product of his administration as Governor of New York. In that office, he strove to establish effective regulation of utilities, to expand direct popular participation in the governmental process and to enable the passage of child labor laws and kindred legislation; he took positions which were advanced outposts for his time. On this Court, Chief Justice Hughes authored opinions which are taken as symbolizing the constitutional acceptability of the efforts of state and federal government to cope with contemporary economic problems by exercising, respectively, the police and the commerce power. This view of the Constitution encounters far less vocal opposition today than it did when such decisions as the state minimum wage and National Labor Relations Board cases were handed down. Charles Evans Hughes was ready to soften the impact on the individual of the anything-goes economics which characterized the national expansion in his early years.

"His concern for humanity was evident also in his leadership in the struggle for world peace. His years as Secretary of State and international jurist were marked by unwavering devotion to peaceful settlements of dispute. His was the way of conference and negotiation, of neighborliness and disarmament, of law and order among nations.

"Bullying he opposed at home as well as abroad. He was constantly solicitous of the liberties which the Constitution assures the individual. His opinions on this Court, as Associate Justice as well as Chief Justice, display an appreciation of and fealty to lofty ideals of fair trial, for ideas as well as individuals. His vigilance to protect individual freedom, to promote world peace and to approve public means for dealing with problems which apparently no longer could be solved by unaided or unregulated individual enterprise, stamp Charles Evans Hughes as intensely humanitarian.

"Humane but efficient, Charles Evans Hughes manifests the balance which is especially worthy of emulation today. There is over-much interest these days in classification at the expense of comprehension. There is excessive pressure to take all or none of a single dogma, rather than to accept the good and reject the evil of all proposals. In our times, there is extreme need of men like Charles Evans Hughes, who have some inner gyroscope of conscience and capacity which maintains a balanced devotion to duty. Chief Justice Hughes had his own exalted standards and principles, and he lived by them. In him there was no surrender to the purposes of the uncritical or the critique of a single viewpoint.

On motion first made to the Court in this behalf by Mr. Ernest W. McFarland, It is ordered that Marshall W. Haislip, Esquire, of Phoenix, State of Arizona, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Fritz G. Lanham, It is ordered that Jno. W. Turner, Esquire, of Eastland, State of Texas, and Davis Scarborough, Esquire, of Abilene, State of Texas, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

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On motion first made to the Court in this behalf by Mr. Homer D. Angell, It is ordered that Felix Jack Bees, Esquire, of Portland, State of Oregon, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Josiah F. Henry, Jr., It is ordered that George Spencer Barnes, Esquire, of Chicago, State of Illinois, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

"He described his conception of the judicial function in an address to some Federal judges. 'A young man wrote me the other day,' he related, 'to ask whether I regarded myself as "liberal" or "conservative." I answered that these labels do not interest me. I know of no accepted criterion. Some think opinions are conservative which others might regard as essentially liberal, and some opinions classed as liberal might be regarded from another point of view as decidedly illiberal * * * A judge who does his work in an objective spirit, as a judge should, will address himself conscientiously to each case, and will not trouble himself about labels.'

"The history of this Court reflects the objective spirit, the balance of Chief Justice Charles Evans Hughes. His view of the workings of the Court and the Federal judicial system was sufficiently detached to recognize the opportunity for improvement in administration. The Administrative Office Act of 1939 is a symbol of his concern for efficiency in the functioning of courts. The achievements of the Administrative Office of the United States Courts and the day-by-day operations of the Federal judiciary as a fully independent branch of our national Government are founded in large part upon the wisdom of Chief Justice Charles Evans Hughes.

"The years of his service as Chief Justice were ones in which this Court was in the very forefront of public notice. Those years are fresh enough in memory so that recitation of the unusual position occupied by the Court is not needed. What does need to be recorded is that the Court emerged as it did in large measure because of the consummate skill of its Chief Justice. He was precise and decisive in playing the role he believed the Chief Justice ought to play. Everything he did manifested veneration for the traditions of this Court and the constitutional scheme of our Government, and vision to look forward to the adaptation of the Court and the other vehicles of our democracy to possible future needs. Surely Charles Evans Hughes will rank as one of the great Chief Justices.

"More, there can even now, so few years after his death, be no doubt that Charles Evans Hughes deserves inclusion on the select roll of great Americans."

The Chief Justice directed that the resolutions be spread upon the minutes of the Court.

Marshall W. Haislip, of Phoenix, Ariz.; Jno. W. Turner, of Eastland, Tex.; Robert G. Maysack, of St. Louis, Mo.; Clifford F. Hansen, of Minneapolis, Minn.; William Don Welch, of Madill, Okla.; Helen E. Creighton, of Washington, D. C., Felix Jack Dees, of Portland, Oreg.; George Spencer Barnes, of Chicago, Ill.; James Reece Duncan, of Alexandria, Va.; Harold H. Krowech, of Los Angeles, Calif.; Her-

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On motion first made to the Court in this behalf by Miss Helen Newman, It is ordered that Helen E. Creighton, of Washington, District of Columbia, be admitted to practice as an Attorney and Counsellor of this Court, and she was sworn accordingly. (Miss)

On motion first made to the Court in this behalf by Mr. Homer D. Angell, It is ordered that Felix Jack Dees, Esquire, of Portland, State of Oregon, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Josiah F. Henry, Jr., It is ordered that George Spencer Barnes, Esquire, of Chicago, State of Illinois, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Armistead L. Boothe, It is ordered that James Reece Duncan, Esquire, of Alexandria, Commonwealth of Virginia, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Justin Miller, It is ordered that Harold H. Krowech, Esquire, of Los Angeles, State of California, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Roger E. Johnson, It is ordered that Herbert V. Walker, Esquire, of Los Angeles, State of California, and Harbaugh Miller, Esquire, of Pittsburgh, Commonwealth of Pennsylvania, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Louis Lobowitz, It is ordered that Irving Smith Abrams, Esquire, of Chicago, State of Illinois, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Don Petty, It is ordered that Doris Hoffman Maier, of Sacramento, State of California, be admitted to practice as an Attorney and Counsellor of this Court, and she was sworn accordingly. (Mrs.)

On motion first made to the Court in this behalf by Mrs. Julia Benton Hopkins, It is ordered that Laurie M. Streeter, of Minneapolis, State of Minnesota, be admitted to practice as an Attorney and Counsellor of this Court, and she was sworn accordingly. (Miss)

On motion first made to the Court in this behalf by Mrs. Helena D. Reed, It is ordered that Flora H. Elliott, of Washington, District of Columbia, be admitted to practice as an Attorney and Counsellor of this Court, and she was sworn accordingly. (Miss)

On motion first made to the Court in this behalf by Mr. Donald V. Hunter, It is ordered that Robert B. Campbell, Esquire, of Pasadena, State of California, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. William Allen Mellan, It is ordered that Thomas P. Mesick, Esquire, of New York, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Milton A. Smith, It is ordered that John W. Lewis, Esquire, of Topeka, State of Kansas, and Harry Frank Peric, Esquire, of Washington, District of Columbia, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Irving Jaffe, It is ordered that Stanley U. Robinson, Jr., Esquire, of Columbus, State of Ohio, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Walter G. Cooper, Jr., It is ordered that Nathaniel Martin McFarland, Esquire, of Decatur, State of Georgia, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Joseph A. Fanelli, It is ordered that Katsuro Miho, Esquire, of Honolulu, Territory of Hawaii, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Monroe Leigh, It is ordered that Philip Barbash, Esquire, of Jersey City, State of New Jersey, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

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Building Service Employees International Union, Local 262, et al.,

Petitioners,

449 vs.

W. L. Gazzam.

On writ of certiorari to the Supreme Court of the State of Washington.

THIS CAUSE came on to be heard on the transcript of the record from the Supreme Court of the State of Washington, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is ordered and adjudged by this Court that the judgment of the said Supreme Court, in this cause, be, and the same is hereby, affirmed with costs.

Per Mr. Justice Minton.

Mr. Justice Black concurs in the judgment of affirmance.

Mr. Justice Douglas took no part in the consideration or decision of this case.

R. M. Powell, et al.,

Petitioners,

96 vs.

The United States Cartridge Company.

On writ of certiorari to the United States Court of Appeals for the Eighth Circuit.

THIS CAUSE came on to be heard on the transcript of the record from the United States Court of Appeals for the Eighth Circuit, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is ordered and adjudged by this Court that the judgment of the said United States Court of Appeals, in this cause, be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the United States Court of Appeals for further consideration of the errors asserted on appeal but not reviewed by that court.

Per Mr. Justice Burton.

Dissenting opinion by Mr. Justice Frankfurter in which Mr. Justice Jackson joins.

Mr. Justice Douglas and Mr. Justice Clark took no part in the consideration or decision of this case.

Julia Rhoda Aaron, et al., Petitioners, vs. Ford, Bacon & Davis, Incorporated.

On writ of certiorari to the United States Court of Appeals for the Eighth Circuit.

79

THIS CAUSE came on to be heard on the transcript of the record from the United States Court of Appeals for the Eighth Circuit, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is ordered and adjudged by this Court that the judgment of the said United States Court of Appeals, in this cause, be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the United States District Court for the Eastern District of Arkansas for further proceedings in conformity with the opinion of this Court.

Per Mr. Justice Burton.

Dissenting opinion by Mr. Justice Frankfurter in which Mr. Justice Jackson joins.

Mr. Justice Douglas and Mr. Justice Clark took no part in the consideration or decision of this case.

Roy Creel, et al., Petitioners, vs. Lone Star Defense Corporation.

On writ of certiorari to the United States Court of Appeals for the Fifth Circuit.

58

THIS CAUSE came on to be heard on the transcript of the record from the United States Court of Appeals for the Fifth Circuit, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is ordered and adjudged by this Court that the judgment of the said United States Court of Appeals, in this cause, be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the United States District Court for the Eastern District of Texas for further proceedings in conformity with the opinion of this Court.

Per Mr. Justice Burton.

Dissenting opinion by Mr. Justice Frankfurter in which Mr. Justice Jackson joins.

Mr. Justice Douglas and Mr. Justice Clark took no part in the consideration or decision of this case.

The United States of America, Appellant, vs. National Association of Real Estate Boards, Washington Real Estate Board, Herbert U. Nelson, et al. — Appeal from the United States District Court for the District of Columbia.

428

THIS CAUSE came on to be heard on the transcript of the record from the United States District Court for the District of Columbia, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is now here ordered and adjudged by this Court that the judgment of the said District Court, in this cause, be, and the same is hereby, reversed except as to the National Association of Real Estate Boards and Herbert U. Nelson, and as to them the judgment is affirmed.

IT IS FURTHER ORDERED that this cause be, and the same is hereby, remanded to the District Court for proceedings in conformity with the opinion of this Court.

Per Mr. Justice Douglas.

Dissenting opinion by Mr. Justice Jackson.

Mr. Justice Frankfurter and Mr. Justice Clark took no part in the consideration or decision of this case.

John Hughes and Louis Richardson, Petitioners, vs. Superior Court of the State of California in and for the County of Contra Costa. — On writ of certiorari to the Supreme Court of the State of California.

61

THIS CAUSE came on to be heard on the transcript of the record from the Supreme Court of the State of California, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is ordered and adjudged by this Court that the judgment of the said Supreme Court, in this cause, be, and the same is hereby, affirmed.

Per Mr. Justice Frankfurter.

Concurring: Mr. Justice Black, Mr. Justice Reed, and Mr. Justice Minton.

Mr. Justice Douglas took no part in the consideration or decision of this case.

International Brotherhood of Teamsters, Chauffeurs, Warehousemen and Helpers Union, Local 309, et al., Petitioners, vs. A. E. Hanke, L. J. Hanke, R. R. Hanke, and R. M. Hanke, Copartners, D. B. A. Atlas Auto Rebuild.

309

On writ of certiorari to the Supreme Court of the State of Washington.

THIS CAUSE came on to be heard on the transcript of the record from the Supreme Court of the State of Washington, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is ordered and adjudged by this Court that the judgment of the said Supreme Court, in this cause, be, and the same is hereby, affirmed with costs.

Per Mr. Justice Frankfurter.

Mr. Justice Clark concurs in the result.
Dissenting: Mr. Justice Black.
Dissenting opinion by Mr. Justice Minton in which Mr. Justice Reed joins.

Mr. Justice Douglas took no part in the consideration or decision of this case.

Automobile Drivers and Demonstrators Local Union No. 882, Ralph Reinertsen, Its Business Agent, et al., Petitioners, vs. George E. Cline.

364

On writ of certiorari to the Supreme Court of the State of Washington.

THIS CAUSE came on to be heard on the transcript of the record from the Supreme Court of the State of Washington, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is ordered and adjudged by this Court that the judgment of the said Supreme Court, in this cause, be, and the same is hereby, affirmed with costs.

Per Mr. Justice Frankfurter.

Mr. Justice Clark concurs in the result.
Dissenting: Mr. Justice Black.
Dissenting opinion by Mr. Justice Minton in which Mr. Justice Reed joins.

Mr. Justice Douglas took no part in the consideration or decision of this case.

The United States of America, Petitioner, vs. Helen R. Bryan. 99

On writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit.

THIS CAUSE came on to be heard on the transcript of the record from the United States Court of Appeals for the District of Columbia Circuit, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is ordered and adjudged by this Court that the judgment of the said United States Court of Appeals, in this cause, be, and the same is hereby, reversed; and that this cause be, and the same is hereby, remanded to the United States Court of Appeals for proceedings in conformity with the opinion of this Court.

Per Mr. Chief Justice Vinson.

Mr. Justice Frankfurter agrees with the opinion of the Chief Justice except as to the portion marked "Third," involving the applicability of Sec. 3486 of Title 18 U. S. C. to the facts of this case, which requires him to dissent from the judgment of reversal.
Concurring opinion by Mr. Justice Jackson.
Dissenting opinion by Mr. Justice Black in which Mr. Justice Frankfurter concurs.

Mr. Justice Douglas and Mr. Justice Clark took no part in the consideration or decision of this case.

The United States of America, Petitioner, vs. Ernestina G. Fleischman. 98

On writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit.

THIS CAUSE came on to be heard on the transcript of the record from the United States Court of Appeals for the District of Columbia Circuit, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is ordered and adjudged by this Court that the judgment of the said United States Court of Appeals, in this cause, be, and the same is hereby, reversed; and that this cause be, and the same is hereby, remanded to the United States Court of Appeals for proceedings in conformity with the opinion of this Court.

Per Mr. Chief Justice Vinson.

Dissenting opinion by Mr. Justice Black in which Mr. Justice Frankfurter concurs.
Dissenting opinion by Mr. Justice Frankfurter.

Mr. Justice Douglas and Mr. Justice Clark took no part in the consideration or decision of this case.

American Communications Association, C. I. O., et al.,
Appellants,
vs.
Charles T. Douds, Individually and as Regional Director of the National Labor Relations Board, Second Region.

Appeal from the United States District Court for the Southern District of New York.

10

THIS CAUSE came on to be heard on the transcript of the record from the United States District Court for the Southern District of New York, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is ordered, adjudged, and decreed by this Court that the decree of the said District Court in this cause be, and the same is hereby, affirmed.

Per Mr. Chief Justice Vinson.

Separate opinion by Mr. Justice Frankfurter.
Separate opinion by Mr. Justice Jackson.
Dissenting opinion by Mr. Justice Black.

Mr. Justice Douglas, Mr. Justice Clark, and Mr. Justice Minton took no part in the consideration or decision of this case.

United Steelworkers of America, et al.,
Petitioners,
vs.
National Labor Relations Board.

On writ of certiorari to the United States Court of Appeals for the Seventh Circuit.

13

THIS CAUSE came on to be heard on the transcript of the record from the United States Court of Appeals for the Seventh Circuit, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is ordered and adjudged by this Court that the part of the decree of the Court of Appeals under review on the petition of the United Steelworkers of America, be, and it is hereby, affirmed; and that this cause, be, and it is hereby, remanded to the United States Court of Appeals for the Seventh Circuit.

Per Mr. Chief Justice Vinson.

Separate opinion by Mr. Justice Frankfurter.
Separate opinion by Mr. Justice Jackson.
Dissenting opinion by Mr. Justice Black.

Mr. Justice Douglas, Mr. Justice Clark, and Mr. Justice Minton took no part in the consideration or decision of this case.

The International Union of United Automobile, Aircraft and Agricultural Implement Workers of America, C. I. O., et al.,

Appellants,

456 vs.

Gerald K. O'Brien, Wayne County Prosecuting Attorney and Stephen J. Roth, Attorney General of the State of Michigan.

Appeal from the Supreme Court of the State of Michigan.

THIS CAUSE came on to be heard on the transcript of the record from the Supreme Court of the State of Michigan, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court, in this cause, be, and the same is hereby, reversed with costs; and that this cause, be, and the same is hereby, remanded to the Supreme Court of Michigan for further proceedings not inconsistent with the opinion of this Court.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas concurs in the result.

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The Chief Justice said:

"The orders of the Court appear upon the list certified by the Chief Justice and filed with the Clerk and will not be announced orally."

The United States of America,

Petitioner,

685 vs.

Edith Louise Griggs, as Executrix of the Estate of Dudley R. Griggs, Deceased.

Order allowing certiorari.

The petition herein for a writ of certiorari to the United States Court of Appeals for the Tenth Circuit is granted. The case is transferred to the summary docket and assigned for argument following Peres, as Executrix vs. United States of America, and Jefferson vs. United States of America, Nos. 558 and 667 which are also transferred to the summary docket.

And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

National Labor Relations Board, Petitioner,
732 vs.
The Pittsburgh Steamship Company.

Order allowing certiorari.

The petition herein for a writ of certiorari to the United States Court of Appeals for the Sixth Circuit is granted.

And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

Madeleine Ursula Snyder, Petitioner,
294, Misc. vs.
Rear Admiral W. A. Buck, etc.

On petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, granted and the case is transferred to the appellate docket as No. 811.

It is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

American President Lines, Ltd., Petitioner, vs. James M. Agnew, et al. — On petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit.

581

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Ninth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

American President Lines, Ltd., Petitioner, vs. John W. Griffin, et al. — On petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit.

582

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Ninth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

American President Lines, Ltd., Petitioner, vs. Augustus Federer, et al. — On petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit.

583

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Ninth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

United Artists Corporation, et al., Petitioners,

680 vs.

Board of Censors of the City of Memphis, et al.

On petition for writ of certiorari to the Supreme Court of the State of Tennessee.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of Tennessee, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Fireman's Fund Insurance Company of San Francisco, California, Petitioner,

684 vs.

Mark McConnell.

On petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Fifth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

William M. Brown, Petitioner,

691 vs.

Kenneth C. Royall, Secretary of the Army, and Edward Witsell, the Adjutant General.

On petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the District of Columbia Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Safeway Stores, Inc., Petitioner, vs. Elizabeth West and Vester West. — On petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit.

693

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the District of Columbia Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Randolph Laboratories, Inc., Petitioner, vs. Specialties Development Corporation. — On petition for writ of certiorari to the United States Court of Appeals for the Third Circuit.

698

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Third Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Jay M. Rowland, Petitioner, vs. State of Arkansas. — On petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit.

699

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Eighth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Citizens Ice and Cold Storage Company, et al.,
Petitioners,
706 vs.
The Atlantic Company.

On petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Fifth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Jesse J. Parkerson, Trustee; Merchants and Planters Bank and Hidud Corporation,
Petitioners,
707 vs.
William R. Chapman, III, and Harriet C. Pierie, Executors, etc.

On petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Fourth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

The Texas and Pacific Railway Company,
Petitioner,
729 vs.
Red River Cotton Oil Company, et al.

On petition for writ of certiorari to the Supreme Court of the State of Louisiana.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of Louisiana, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Curley C. Hoffpauir,
Petitioner,
731 vs.
Harry M. Hoxsey.

On petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Fifth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

J. Howard McGrath, Attorney General of the United States, as Successor to the Alien Property Custodian,
Petitioner,
594 vs.
Paramount Pictures, Inc., Bank of America National Trust and Savings Association, etc., et al.

On petition for writ of certiorari to the District Court of Appeal for the First Appellate District of the State of California.

ON CONSIDERATION of the petition for a writ of certiorari herein to the District Court of Appeal for the First Appellate District of the State of California, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Clark took no part in the consideration or decision of this application.

Maurice C. Sparling, Superintendent of Banks of the State of California, etc.,
Petitioner,
613 vs.
Paramount Pictures, Inc., Bank of America National Trust and Savings Association, etc., et al.

On petition for writ of certiorari to the Supreme Court of the State of California.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of California, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Clark took no part in the consideration or decision of

Morrison T. Wade and Bessie Lou Tanner Wade,

Petitioners,

621 vs.

The People of the State of Michigan.

ON CONSIDERATION of the motion to proceed on typewritten papers in this case,

IT IS ORDERED by this Court that the said motion be, and it is hereby, granted.

Per Mr. Chief Justice Vinson.

Morrison T. Wade and Bessie Lou Tanner Wade,

Petitioners,

621 vs.

The People of the State of Michigan.

On petition for writ of certiorari to the Supreme Court of the State of Michigan.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of Michigan, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Standard Commercial Tobacco Company, et al.,

Petitioners,

561 vs.

John W. Snyder, Secretary of the Treasury, et al.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Jacob P. Holmes, et al.,

Appellants,

657 vs.

The United States of America.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Monolith Portland Midwest Company,

Petitioner,

666 vs.

Reconstruction Finance Corporation.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Sam Thompson,

Petitioner,

255, Misc. vs.

Browning Robinson, Warden.

A third petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Bennie Daniels and Lloyd Ray Daniels, Petitioners, vs. State of North Carolina.

412, Misc.

On petition for writ of certiorari to the Supreme Court of the State of North Carolina.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of North Carolina, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

William H. Baker, Petitioner, vs. People of the State of California, et al.

458, Misc.

On petition for writ of certiorari to the Supreme Court of the State of California.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of California, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Jeremiah P. Collins, et al., Petitioners, vs. Justice F. Dickinson Letts, Judge of the United States District Court for the District of Columbia, et al.

498, Misc.

ON CONSIDERATION of the motion for leave to file a petition for writs of prohibition and mandamus herein,

IT IS ORDERED by this Court that the said motion be, and it is hereby, denied.

Per Mr. Chief Justice Vinson.

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Proclamation being made the Court is adjourned until Monday, May 15, next, at 12 o'clock.

MONDAY, MAY 15, 1950.

Pursuant to adjournment the Court met at the Supreme Court Building.

PRESENT:

The Honorable Fred M. Vinson, Chief Justice,
Hugo L. Black,
Stanley Reed,
Felix Frankfurter,
William O. Douglas,
Robert H. Jackson,
Harold H. Burton,
Tom C. Clark,
Sherman Minton,
Associate Justices,

Thomas Ennalls Waggaman, Esquire, Marshal,

Charles Elmore Cropley, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Homer Ferguson, It is ordered that Jeanne R. Twiss, of Detroit, State of Michigan, and Abraham Cal Rosen, Esquire, of Detroit, State of Michigan, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly. (Mrs.)

On motion first made to the Court in this behalf by Mr. William E. Jenner, It is ordered that Frederick G. Dobbs, Esquire, of Muncie, State of Indiana, and John M. Kitchen, Esquire, of Indianapolis, State of Indiana, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Jas. C. Davis, It is ordered that Frances Y. Read, of Atlanta, State of Georgia, be admitted to practice as an Attorney and Counsellor of this Court, and she was sworn accordingly. (Mrs.)

On motion first made to the Court in this behalf by Mr. W. F. Norrell, It is ordered that Robert Julian Glover, Esquire, of Hot Springs, State of Arkansas, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Earl C. Michener, It is ordered that Harry T. Running, Esquire, of Traverse City, State of Michigan, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Arnold Raum, It is ordered that John M. Leonard, Jr., Esquire, of Chicago, State of Illinois, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Robert L. Stern, It is ordered that Francis E. Picklow, Esquire, of Cleveland, State of Ohio, and Leo G. Chimo, Esquire, of Cleveland, State of Ohio, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Thomas J. Jenkins, It is ordered that John Harvey Crow, Esquire, of Saint Paris, State of Ohio, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Frederick Bernays Wiener, It is ordered that Ernest L. Rushmer, Esquire, of Chevy Chase, State of Maryland, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. J. Louis Monarch, It is ordered that Glenn E. Thomson, Esquire, of Clearfield, Commonwealth of Pennsylvania, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Roy Carrington Bragg, It is ordered that Leroy S. Bendheim, Esquire, of Alexandria, Commonwealth of Virginia, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Joseph W. Wyatt, It is ordered that James S. Hemingway, Esquire, of New York, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Donald E. Lane, It is ordered that John F. Schmidt, Esquire, of Franklin, Commonwealth of Pennsylvania, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. H. A. Hauxhurst, It is ordered that William Lawrence West, Esquire, of Cleveland, State of Ohio, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. F. Granville Munson, It is ordered that Milford Bendiner, Esquire, of Philadelphia, Commonwealth of Pennsylvania, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Charles P. Swindler, It is ordered that Thomas J. Lee, Esquire, of Oklahoma City, State of Oklahoma, and R. H. Dunn, Esquire, of Oklahoma City, State of Oklahoma, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Herman C. Siegel, It is ordered that Harold R. Kaplan, Esquire, of New York, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. John J. Malloy, It is ordered that Charles A. Anderson, Esquire, of Dayton, State of Ohio, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. John T. Barker, It is ordered that Charles J. Winger, Esquire, of Kansas City, State of Missouri, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. William M. Burknalter, It is ordered that Leonard Francis Genz, Esquire, of Waco, State of Texas, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. William D. Hall, It is ordered that Sigmund Eugene Bychinsky, Esquire, of Detroit, State of Michigan, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Francis Dennis Flanagan, It is ordered that LeRoy Hanson Barnard, Esquire, of Arlington, Commonwealth of Virginia, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Raymond Sparks, It is ordered that Craigh Leonard, Esquire, of New York, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. George B. Searls, It is ordered that Daniel G. McGrath, Esquire, of Falls Church, Commonwealth of Virginia, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Paul F. Mickey, It is ordered that Louis R. Baker, Esquire, of Los Angeles, State of California, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Raoul Berger, It is ordered that Alfred P. D'Auria, Esquire, of Jersey City, State of New Jersey, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Edwin A. Mooers, It is ordered that Eugene F. Blanchard, Esquire, of Washington, District of Columbia, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Albert J. Feigen, It is ordered that Louis Ballenger, Esquire, of Glendale, State of California, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Herber C. Leney, It is ordered that Paul H. Schroy, Esquire, of Rockford, State of Illinois, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Joseph A. Moynihan, It is ordered that Joseph A. Moynihan, Jr., Esquire, of Detroit, State of Michigan, and Harold A. Johnson, Esquire, of Detroit, State of Michigan, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Clifford E. Fix, It is ordered that Leland O. Graham, Esquire, of Sacramento, State of California, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Miss Janie Elizabeth Newton, It is ordered that Arthur Wells Dew, Esquire, of Richmond, Commonwealth of Virginia, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Richard A. Fitzgerald, It is ordered that Wiley Marron, Esquire, of Kenly, State of North Carolina, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. William Paul Shelley, Jr., It is ordered that John Howell Cotten, Esquire, of Tallahassee, State of Florida, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

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National Labor Relations Board, Petitioner, vs. Mexia Textile Mills, Inc.

On writ of certiorari to the United States Court of Appeals for the Fifth Circuit.

434

THIS CAUSE came on to be heard on the transcript of the record from the United States Court of Appeals for the Fifth Circuit, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is ordered and adjudged by this Court that the order of the said United States Court of Appeals, in this cause, be, and the same is hereby, vacated; and that this cause be, and the same is hereby, remanded to the said Court of Appeals with directions to enter a decree enforcing the order of the Board pursuant to Sec. 10(e) of the National Labor Relations Act as amended by the Labor Management Relations Act, unless "extraordinary circumstances" are pleaded which justify the respondent's failure to urge its objections before the Board.

Per Mr. Justice Clark.

Dissenting opinion by Mr. Justice Frankfurter in which Mr. Justice Jackson joins.

National Labor Relations Board, Petitioner, vs. Pool Manufacturing Company. — On writ of certiorari to the United States Court of Appeals for the Fifth Circuit.

435

THIS CAUSE came on to be heard on the transcript of the record from the United States Court of Appeals for the Fifth Circuit, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is ordered and adjudged by this Court that the order of the said United States Court of Appeals, in this cause, be, and the same is hereby, vacated; and that this cause be, and the same is hereby, remanded to the said Court of Appeals with directions to enter a decree enforcing the order of the Board pursuant to Sec. 10(e) of the National Labor Relations Act as amended by the Labor Management Relations Act, unless "extraordinary circumstances" are pleaded which justify the respondent's failure to urge its objections before the Board.

Per Mr. Justice Clark.

Dissenting opinion by Mr. Justice Frankfurter in which Mr. Justice Jackson joins.

Brown Shoe Company, Inc., Petitioner, vs. Commissioner of Internal Revenue. — On writ of certiorari to the United States Court of Appeals for the Eighth Circuit.

445

THIS CAUSE came on to be heard on the transcript of the record from the United States Court of Appeals for the Eighth Circuit, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is ordered and adjudged by this Court that the judgment of the said United States Court of Appeals, in this cause, be, and the same is hereby, reversed; and that this cause be, and the same is hereby, remanded to the United States Court of Appeals with directions to remand the cause to the Tax Court for further proceedings in conformity with the opinion of this Court.

Per Mr. Justice Clark.

Dissenting: Mr. Justice Black.

Capitol Greyhound Lines, Pennsylvania Greyhound Lines, Inc., and Red Star Motor Coaches, Inc.,

Appellants,

118 vs.

Arthur H. Brice, Commissioner of Motor Vehicles, State of Maryland, Baltimore, Maryland.

Appeal from the Court of Appeals of the State of Maryland.

THIS CAUSE came on to be heard on the transcript of the record from the Court of Appeals of the State of Maryland, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is now here ordered and adjudged by this Court that the judgment of the said Court of Appeals, in this cause, be, and the same is hereby, affirmed with costs.

Per Mr. Justice Black.

Dissenting opinion by Mr. Justice Frankfurter in which Mr. Justice Jackson joins.

Mr. Justice Douglas took no part in the consideration or decision of this case.

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The Chief Justice announced the following orders of the Court:

The Emery Transportation Company,

Appellant,

754 vs.

The United States of America, Interstate Commerce Commission, et al.

Appeal from the United States District Court for the Southern District of Ohio.

THIS CAUSE came on to be heard on the transcript of the record from the United States District Court for the Southern District of Ohio, and on motion to affirm, which was duly submitted.

ON CONSIDERATION WHEREOF, It is ordered by this Court that the motion to affirm be, and the same is hereby, granted.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that the decree of the said District Court in this cause, be, and the same is hereby, affirmed.

Per Mr. Chief Justice Vinson.

Herman Hoffman and New York County Criminal Courts Bar Association,

Appellants,

755 vs.

William P. O'Brien, as Police Commissioner of the City of New York, et al.

Appeal from the United States District Court for the Southern District of New York.

THIS CAUSE came on to be heard on the transcript of the record from the United States District Court for the Southern District of New York, and on motions to dismiss or affirm, which were duly submitted.

ON CONSIDERATION WHEREOF, It is ordered by this Court that the motions to affirm be, and the same are hereby, granted.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED by this Court that the decree of the said District Court in this cause, be, and the same is hereby, affirmed with costs.

Per Mr. Chief Justice Vinson.

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The Chief Justice said:

"The other orders of the Court appear upon the list certified by the Chief Justice and filed with the Clerk and will not be announced orally."

The Alabama Great Southern Railroad Company, et al.,

Appellants,

748 vs.

The United States of America, et al.;

Galveston Chamber of Commerce and Houston Port and Traffic Bureau,

Appellants,

749 vs.

The United States of America, et al.;

Railroad Commission of Texas,

Appellant,

750 vs.

The United States of America, et al.; and

Savannah Sugar Refining Corporation,

Appellant,

751 vs.

The United States of America, et al.

The statements of jurisdiction in these cases having been submitted and considered by the Court, probable jurisdiction is noted.

Per Mr. Chief Justice Vinson.

Carl Jacob Kunz,

Appellant,

768 vs.

The People of the State of New York.

The statement of jurisdiction in this case having been submitted and considered by the Court, probable jurisdiction is noted.

Per Mr. Chief Justice Vinson.

Louis Compagna and Charles Gioe, Order allowing certiorari.

Petitioners,

536 vs.

William H. Hiatt, Warden, United States Penitentiary, Atlanta, Georgia.

The petition herein for a writ of certiorari to the United States Court of Appeals for the Fifth Circuit is granted. And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

Mr. Justice Clark took no part in the consideration or decision of this application.

National Council of American-Soviet Friendship, Inc., et al., — Order allowing certiorari.

Petitioners,

554 vs.

J. Howard McGrath, Attorney General of the United States, et al.

The petition herein for a writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit is granted. The case is transferred to the summary docket and assigned for argument immediately following Joint Anti-Fascist Refugee Committee vs. McGrath, No. 556.

And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

Mr. Justice Clark took no part in the consideration or decision of this application.

Jane Rogers, — Order allowing certiorari.

Petitioner,

635 vs.

The United States of America.

The petition herein for a writ of certiorari to the United States Court of Appeals for the Tenth Circuit is granted. The case is transferred to the summary docket.

And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

Mr. Justice Clark took no part in the consideration or decision of this application.

Irving Blau, Order allowing certiorari.

Petitioner,

636 vs.

The United States of America.

The petition herein for a writ of certiorari to the United States Court of Appeals for the Tenth Circuit is granted. The case is transferred to the summary docket.

And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

Mr. Justice Clark took no part in the consideration or decision of this application.

Patricia Blau, Order allowing certiorari.

Petitioner,

640 vs.

The United States of America.

The petition herein for a writ of certiorari to the United States Court of Appeals for the Tenth Circuit is granted. The case is transferred to the summary docket.

And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

Mr. Justice Clark took no part in the consideration or decision of this application.

J. Howard McGrath, Attorney General of the United States, et al.,

Petitioners,

700 vs.

Peder Kristian Kristensen, Also Known as Peter Kristen Kristiansen, etc.

Order allowing certiorari.

The petition herein for a writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit is granted. And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

Lord Manufacturing Company,

Petitioner,

570 vs.

The United States.

On petition for writ of certiorari to the United States Court of Claims.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Claims, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Safe Harbor Water Power Corporation,

Petitioner,

709 vs.

Federal Power Commission.

On petition for writ of certiorari to the United States Court of Appeals for the Third Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Third Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

The United States of America,
Petitioner,
712 vs.
Lottie May Martin, James Martin, and the Smoot Sand and Gravel Corporation.

On petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the District of Columbia Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

James Martin, Lottie May Martin, and the Smoot Sand and Gravel Corporation,
Petitioners,
715 vs.
The United States of America.

On petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the District of Columbia Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Jepson L. Nelson and Charles W. Reeves,
Petitioners,
721 vs.
Louis Johnson, Secretary of National Defense, et al.

On petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the District of Columbia Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Lillian H. Willis, Petitioner, vs. Consolidated Textile Co., Inc., and Manufacturers Trust Company.

722

On petition for writ of certiorari to the United States Court of Appeals for the Second Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Second Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Joseph P. Kamp, Petitioner, vs. The United States of America.

448

On petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the District of Columbia Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Clark took no part in the consideration or decision of this application.

Arthur Bary, Petitioner, vs. The United States of America.

637

On petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Tenth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Clark took no part in the consideration or decision of this application.

Paul Meir Kleinbord, Petitioner, vs. The United States of America. 638

On petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Tenth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Clark took no part in the consideration or decision of this application.

Tracy Roy Rogers, Petitioner, vs. The United States of America. 639

On petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Tenth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Clark took no part in the consideration or decision of this application.

E. B. Kaiser Company, Petitioner, vs. The Ric-Wil Company. 730

On petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Seventh Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Black is of the opinion certiorari should be granted.

John Howard Lawson,

Petitioner,

248 vs.

The United States of America; and

Dalton Trumbo,

Petitioner,

249 vs.

The United States of America.

ON CONSIDERATION of the motions for leave to file briefs of Southland Jewish Organization; certain members of the Los Angeles Democratic and State Committee; and 64 ministers and rabbis, as amici curiae in these cases,

IT IS ORDERED by this Court that the said motions be, and they are hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Clark took no part in the consideration or decision of these motions.

George Marshall,

Petitioner,

197 vs.

The United States of America.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Clark took no part in the consideration or decision of this petition.

Anheuser-Busch, Incorporated,

Petitioner,

495 vs.

Du Bois Brewing Company.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Clark took no part in the consideration or decision of this petition.

Willie McGee,

Appellant,

238 vs.

State of Mississippi.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this petition.

Benard South and Harold C. Fleming,

Appellants,

724 vs.

James Peters, as Chairman of the Georgia State Democratic Executive Committee, et al.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

E. M. Watson,

Petitioner,

390, Misc. vs.

L. G. Suddoth and J. S. Calfee.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

George Cubbler,

Petitioner,

417, Misc. vs.

State of New Jersey.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Leon Ball,

Petitioner,

410, Misc. vs.

H. E. Moore, Warden.

On petition for writ of certiorari to the Court of Criminal Appeals of the State of Texas.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Court of Criminal Appeals of the State of Texas, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Robert Sewell, Petitioner, vs. People of the State of California. — On petition for writ of certiorari to the District Court of Appeal for the Fourth Appellate District, of the State of California.

414, Misc.

ON CONSIDERATION of the petition for a writ of certiorari herein to the District Court of Appeal for the Fourth Appellate District of the State of California, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

John Edwin Byers, Petitioner, vs. Richmond Keech, U. S. District Judge, etc.

478, Misc.

ON CONSIDERATION of the motion for leave to file a petition for writ of mandamus herein,

IT IS ORDERED by this Court that the said motion be, and it is hereby, denied.

Per Mr. Chief Justice Vinson.

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ORDER

The Court will take a recess from today until Monday, May 29, and from that day until Monday, June 5, upon which day it will adjourn for the term unless otherwise ordered. No motions, except motions for admission to practice, will be received after the session next before the date fixed for adjournment of the term.

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Proclamation being made the Court is adjourned until Monday, May 29, next, at 12 o'clock.

MONDAY, MAY 29, 1950.

Pursuant to adjournment the Court met at the Supreme Court Building.

PRESENT:

The Honorable Fred M. Vinson, Chief Justice,
Hugo L. Black,
Stanley Reed,
Felix Frankfurter,
William O. Douglas,
Robert H. Jackson,
Harold H. Burton,
Tom C. Clark,
Sherman Minton,
Associate Justices,

Thomas Ennalls Waggaman, Esquire, Marshal,

Charles Elmore Cropley, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Solicitor General Philip B. Perlman, It is ordered that Joseph R. Lee, Esquire, of Chicago, State of Illinois; Philip A. Shapiro, Esquire, of Chicago, State of Illinois; Jack Marsh Laughlin, Esquire, of Monterey, State of California; Abraham J. Levinson, Esquire, of Philadelphia, Commonwealth of Pennsylvania; Nathan Skolnik, Esquire, of New York, State of New York; Hyman L. Brody, Esquire, of Chicago, State of Illinois; and Erwin L. Clemens, Esquire, of Defiance, State of Ohio, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Claude Pepper, It is ordered that Theodore J. Sakowitz, Esquire, of Miami, State of Florida, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Estes Kefauver, It is ordered that Alfred T. MacFarland, Esquire, of Lebanon, State of Tennessee, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. William M. Whittington, It is ordered that R. A. Wallace, Esquire, of Gulfport, State of Mississippi, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Walter Norblad, It is ordered that Lloyd M. McCormick, Esquire, of Portland, State of Oregon, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Dan Piver, It is ordered that Thomas F. Arnett, Esquire, of Battle Creek, State of Michigan, and Frank L. Maver, Esquire, of Battle Creek, State of Michigan, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Max Radin, It is ordered that David Jaffe, Esquire, of New York, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Carl J. Batter, It is ordered that Arthur L. Ross, Esquire, of Kansas City, State of Missouri, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Rowland F. Kirks, It is ordered that Harold V. Boisvert, Esquire, of Washington, District of Columbia, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Philip S. Jessup, It is ordered that George P. Cheney, Jr., Esquire, of Pittsburgh, Commonwealth of Pennsylvania, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Claude Bayles Mickelwait, It is ordered that Virgil M. McElroy, Esquire, of Greensburg, State of Kansas, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Irwin Geiger, It is ordered that Samuel M. Greenbaum, Esquire, of Washington, District of Columbia, and Milton I. Abelson, Esquire, of Boston, Commonwealth of Massachusetts, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Charles J. Zinn, It is ordered that Halstead Shaw Covington, Esquire, of Norfolk, Commonwealth of Virginia, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Samuel B. Brown, It is ordered that Stanley Block, Esquire, of San Leandro, State of California, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Gerard D. Reilly, It is ordered that Joe S. Moss, Esquire, of Post, State of Texas, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Robert Edward Webb, It is ordered that Martin A. Meyer, Jr., Esquire, of New York, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. William H. Dorsey, Jr., It is ordered that Samuel D. McIlwain, Esquire, of Washington, District of Columbia, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Arthur B. Carton, It is ordered that Maurice A. M. Edkiss, Esquire, of Flushing, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Seymour Krieger, It is ordered that Julius Fielo, Esquire, of East Orange, State of New Jersey, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Philip Goldstein, It is ordered that Abraham R. Klitzman, Esquire, of Asbury Park, State of New Jersey, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Clifford E. Fix, It is ordered that William H. Doherty, Esquire, of Washington, District of Columbia, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Arthur J. Phelan, It is ordered that Andrew F. Zazzali, Esquire, of Newark, State of New Jersey, and James L. McKenna, Esquire, of Newark, State of New Jersey, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Thurman W. Arnold, It is ordered that Edward J. Gilhooly, Esquire, of Newark, State of New Jersey, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Clarence M. Fisher, It is ordered that Lionel E. Goff, Esquire, of Alton, State of Illinois, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Hugh T. Fullerton, It is ordered that Harold E. Haven, Esquire, of San Francisco, State of California, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Carl G. Engling, It is ordered that Charles Forrest McKay, Jr., Esquire, of Hyattsville, State of Maryland, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. William A. Hunt, It is ordered that Frank B. Buchanan, Jr., Esquire, of San Antonio, State of Texas, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Frank Rogers Donahue, It is ordered that Frank Rogers Donahue, Jr., Esquire, of Philadelphia, Commonwealth of Pennsylvania, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Charles Orlando Pratt, It is ordered that Henry James Karison, Esquire, of Alexandria, Commonwealth of Virginia, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. William A. Smith, Jr., It is ordered that Paul Louis Gomony, Esquire, of Bethesda, State of Maryland, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

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Graver Tank & Mfg. Co., Inc., The Lincoln Electric Company, Graver Tank & Mfg. Corporation,

Petitioners,

vs.

The Linde Air Products Company.

On writ of certiorari to the United States Court of Appeals for the Seventh Circuit.

2

THIS CAUSE came on for further hearing on the transcript of the record and was argued by counsel, this Court on May 16, 1949, having granted a petition for rehearing, limited to the question of infringement of Claims 18, 20, 22, and 23 of the Jones, et al. patent, and requested argument as to the applicability of the doctrine of equivalents to the findings of fact in the case.

ON CONSIDERATION WHEREOF, it is ordered and adjudged by this Court as follows: The Court concludes that the trial court's judgment of infringement respecting the four flux claims in question was proper, and adheres to its prior decision on this aspect of the case. The judgment of the Court of Appeals in Court of Appeals No. 9482 is therefore reaffirmed with costs and the case is remanded to the United States District Court for the Northern District of Indiana.

Per Mr. Justice Jackson.

Dissenting opinion by Mr. Justice Black in which Mr. Justice Douglas concurs.

Dissenting opinion by Mr. Justice Douglas.

Mr. Justice Minton took no part in the consideration or decision of this case.

Oscar R. Ewing, Federal Security Administrator, et al.,

Appellants,

vs.

Mytinger & Casselberry, a California Corporation.

Appeal from the United States District Court for the District of Columbia.

568

THIS CAUSE came on to be heard on the transcript of the record from the United States District Court for the District of Columbia, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is ordered, adjudged, and decreed by this Court that the decree of the said District Court in this cause be, and the same is hereby, reversed; and that this cause be, and the same is hereby, remanded to the said District Court for proceedings in conformity with the opinion of this Court.

Per Mr. Justice Douglas.

Mr. Justice Burton concurs in the result.
Dissenting opinion by Mr. Justice Frankfurter.
Dissenting opinion by Mr. Justice Jackson.
Mr. Justice Clark took no part in the consideration or decision of this case.

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The Chief Justice announced the following orders of the Court:

The United States of America,	On appeal from the United States
Appellant,	District Court for the District
670 vs.	of Columbia.
United States Gypsum Company, et al.	

In this case probable jurisdiction is noted. The motions to supplement the record are granted.

Article III of the decree of the District Court of November 7, 1949, reading as follows: "The defendant companies have acted in concert in restraint of trade and commerce among the several states in the eastern territory of the United States to fix, maintain and control the prices of gypsum board and have monopolized trade and commerce in the gypsum board industry in violation of sections 1 and 2 of the Sherman Antitrust Act," is affirmed. The corporate defendants and Samuel M. Gloyd, doing business as Texas Cement Plaster Company, are enjoined, pending further order of this Court, from (1) enforcing in any manner whatsoever the provisions of their current license agreements fixing, maintaining or stabilizing prices of gypsum board or the terms and conditions of sale thereof, and (2) from entering into or performing any agreement or understanding in restraint of trade and commerce in gypsum board among the several states in the eastern territory of the United States by license agreements to fix, maintain or

stabilize prices of gypsum board or by license or other concerted action arranging the terms and conditions of sale thereof.

Per Mr. Chief Justice Vinson.

Mr. Justice Jackson and Mr. Justice Clark took no part in the consideration or decision of these questions.

United States Gypsum Company, Sewell L. Avery, Oliver M. Knode, et al., Appellants,

vs.

The United States of America.

Appeal from the United States District Court for the District of Columbia.

671

THIS CAUSE came on to be heard on the transcript of the record from the United States District Court for the District of Columbia, and was duly submitted.

ON CONSIDERATION WHEREOF, It is ordered by this Court that the appeal herein be, and the same is hereby, dismissed.

Per Mr. Chief Justice Vinson.

Mr. Justice Jackson and Mr. Justice Clark took no part in the consideration or decision of this case.

E. I. Du Pont de Nemours and Company, General Motors Corporation, et al., Appellants,

vs.

The United States of America.

Appeal from the United States District Court for the Northern District of Illinois.

774

THIS CAUSE came on to be heard on the transcript of the record from the United States District Court for the Northern District of Illinois, and on motion to dismiss or affirm, which was duly submitted.

ON CONSIDERATION WHEREOF, It is ordered by this Court that the motion to dismiss the appeal herein be, and the same is hereby, granted.

AND IT IS FURTHER ORDERED that the appeal herein be, and the same is hereby, dismissed.

Per Mr. Chief Justice Vinson.

Mr. Justice Reed is of the opinion probable jurisdiction should be noted.

Mr. Justice Clark took no part in the consideration or decision of this case.

Henry C. Glissmann, Appellant, vs. The City of Omaha, et al. — Appeal from the Supreme Court of the State of Nebraska.

792

THIS CAUSE came on to be heard on the transcript of the record from the Supreme Court of the State of Nebraska, and on motion to dismiss or affirm, which was duly submitted.

ON CONSIDERATION WHEREOF, It is now here ordered by this Court that the motion to dismiss the appeal herein be, and the same is hereby, granted.

IT IS FURTHER ORDERED that the appeal herein be, and the same is hereby, dismissed for the want of a substantial federal question.

Per Mr. Chief Justice Vinson.

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The Chief Justice said:

"The other orders of the Court appear upon the list certified by the Chief Justice and filed with the Clerk and will not be announced orally."

Hans Ackermann, Petitioner, vs. The United States of America. — Order allowing certiorari.

703

The petition herein for a writ of certiorari to the United States Court of Appeals for the Fifth Circuit is granted. And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

Frieda Ackermann, Order allowing certiorari.

Petitioner,

704 vs.

The United States of America.

The petition herein for a writ of certiorari to the United States Court of Appeals for the Fifth Circuit is granted. And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

Universal Camera Corporation, Order allowing certiorari.

Petitioner,

723 vs.

National Labor Relations Board.

The petition herein for a writ of certiorari to the United States Court of Appeals for the Second Circuit is granted. The case is assigned for argument immediately following National Labor Relations Board vs. Pittsburgh Steamship Company, No. 732.

And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

Irving Feiner, On petition for writ of certiorari to

Petitioner, the Court of Appeals of the State of

421, Misc. vs. New York.

People of the State of New York.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, granted. The case is transferred to the appellate docket as No. 850.

It is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

Larry Gara,

Petitioner,

609 vs.

The United States of America.

ON CONSIDERATION of the motion for leave to file brief of American Friends Service Committee, Inc., as amicus curiae in this case,

IT IS ORDERED by this Court that the said motion be, and it is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Clark took no part in the consideration or decision of this motion.

Commissioner of Internal Revenue,

Petitioner,

682 vs.

The McKay Products Corporation.

On petition for writ of certiorari to the United States Court of Appeals for the Third Circuit.

It appearing to the Court that the Solicitor General of the United States has filed a motion to dismiss the petition for writ of certiorari in this case;

Therefore, pursuant to said motion, it is ordered by this Court that the said petition for writ of certiorari in this case, be, and it is hereby, dismissed.

Per Mr. Chief Justice Vinson.

La Salle Steel Company, Petitioner,
701 vs.
National Labor Relations Board.

On petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Seventh Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Seaboard and Western Airlines, Inc., Petitioner,
702 vs.
Civil Aeronautics Board, et al.

On petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the District of Columbia Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Five Cases, more or less, Each Containing 6 Cans of an Article Labeled in Part: (Can) "Figlia Mia Brand A Blend Consisting of 90% Vegetable Oils, Choice Cottonseed, Corn and Peanut Oils, Plus 10% Pure Olive Oil One Gallon Net," et al., Petitioners,
708 vs.
The United States of America.

On petition for writ of certiorari to the United States Court of Appeals for the Second Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Second Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Ben L. Beets, Petitioner,

711 vs.

Walter A. Hunter, Warden, United States Penitentiary, Leavenworth, Kansas.

On petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Tenth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Herman Francis Henderson, Petitioner,

716 vs.

The United States of America.

On petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Seventh Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

William Edwards Wildman, Petitioner,

717 vs.

The United States of America.

On petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Seventh Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Richard H. Shufflebarger, Petitioner, vs. The United States of America. — On petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit.

718

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Seventh Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Charles Frantz, Petitioner, vs. The United States of America. — On petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit.

719

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Seventh Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Carolyn H. King, Petitioner, vs. The United States of America. — On petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit.

720

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Fifth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Union Bleachery, Petitioner, vs. The United States of America. — On petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit.

728

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Fourth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Emily Marx, et al., Petitioners, vs. Commissioner of Internal Revenue. — On petition for writ of certiorari to the United States Court of Appeals for the First Circuit.

735

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the First Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Charles A. Givens, Petitioner, vs. Herman H. Moll, et al. — On petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit.

736

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Fifth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

James A. Yates,

Petitioner,

737 vs.

Edward Ball.

On petition for writ of certiorari to the Supreme Court of the State of Florida.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of Florida, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Earl T. Ellis, Receiver of the Quantico Company, Incorporated,

Petitioner,

739 vs.

Clifton B. Cates.

On petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Fourth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

James Anderson, et al., Trustees of the Hermann Hospital Estate, etc.,

Petitioners,

741 vs.

The United States of America.

On petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Fifth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

The Arlington, Inc., and Sturm-Bickel Corporation, Illinois Corporation,

Petitioners,

742 vs.

Edward Mayer.

On petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Seventh Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Jerome N. Curtis, Trustee in Bankruptcy,

Petitioner,

744 vs.

The United States of America.

On petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Sixth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Phil Magidson,

Petitioner,

747 vs.

Jerome F. Duggan, Trustee of the Estate of Christopher Engineering Company, et al.

On petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Eighth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Floyd W. Dunaway, Allie Merle Dunaway, Joined by her Husband, Floyd W. Dunaway, et al.,

Petitioners,

752 vs.

Standard Oil Company (New Jersey), et al.

On petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Fifth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Carl B. George,

Petitioner,

753 vs.

C. M. Leonard and Leonard Construction Company.

On petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Fourth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Charles Simon and Herman T. Warshow, as Executors of the last will and testament of Edward J. Cornish, deceased,

Petitioners,

757 vs.

Jane M. Hoey, as Executrix of the last will and testament of James J. Hoey, deceased, etc.

On petition for writ of certiorari to the United States Court of Appeals for the Second Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Second Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Fred M. Carter, et al., as Executors of the last will and testament of Selina C. Cornish, deceased,

Petitioners,

758 vs.

Jane M. Hoey, as Executrix of the last will and testament of James J. Hoey, deceased, etc., et al.

On petition for writ of certiorari to the United States Court of Appeals for the Second Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Second Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Julius Hyman,

Petitioner,

767 vs.

Velsicol Corporation.

On petition for writ of certiorari to the Supreme Court of the State of Illinois.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of Illinois, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Charles McGarty,

Petitioner,

770 vs.

John J. O'Brien, Warden of the Massachusetts State Prison.

On petition for writ of certiorari to the United States Court of Appeals for the First Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the First Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Lola Brooks, Administratrix of the Estate of F. S. Brooks, deceased,
Petitioner,
777 vs.
St. Louis-San Francisco Railway Company.

On petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Eighth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Commissioner of Internal Revenue,
Petitioner,
803 vs.
Basalt Rock Co., Inc.

On petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Ninth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Commissioner of Internal Revenue,
Petitioner,
804 vs.
Busch's Kredit Jewelry Co., Inc.

On petition for writ of certiorari to the United States Court of Appeals for the Second Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Second Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Commissioner of Internal Revenue, Petitioner, vs. John Breuner Company. — On petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit.

805

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Ninth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Nathan R. Alltmont and Charles O'Neill, Petitioners, vs. The United States of America, et al.

734

ON CONSIDERATION of the motion for leave to file brief of the Brotherhood of Locomotive Engineers, et al., as amici curiae in this case,

IT IS ORDERED by this Court that the said motion be, and it is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Clark took no part in the consideration or decision of this motion.

Nathan R. Alltmont and Charles O'Neill, Petitioners, vs. The United States of America and United States Maritime Commission. — On petition for writ of certiorari to the United States Court of Appeals for the Third Circuit.

734

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Third Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Clark took no part in the consideration or decision of this application.

Edward K. Barsky, et al.,

Petitioners,

766 O. T. 1947 vs.

The United States of America.

ON CONSIDERATION of the petitions for rehearing filed in this case,

IT IS ORDERED by this Court that the said petitions be, and they are hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Black and Mr. Justice Douglas are of the opinion the petitions should be granted.

Mr. Justice Burton and Mr. Justice Clark took no part in the consideration or decision of these applications.

The United States of America and
Interstate Commerce Commission,

Appellants,

173 vs.

United States Smelting Refining and
Mining Company, et al.

Petitions for rehearing having been filed in this case by the appellees,

ON CONSIDERATION thereof, it is ordered by this Court that the said petitions, be, and the same are hereby, denied.

Per Mr. Justice Black.

Mr. Chief Justice Vinson and Mr. Justice Douglas took no part in the consideration or decision of these applications.

John Howard Lawson,

Petitioner,

248 vs.

The United States of America; and

Dalton Trumbo,

Petitioner,

249 vs.

The United States of America.

A petition for rehearing having been filed in these cases,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Black and Mr. Justice Douglas are of the opinion the petition should be granted.

Mr. Justice Clark took no part in the consideration or decision of this application.

The United States of America,

Appellant,

490 vs.

Cotton Valley Operators Committee, et al.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Clark took no part in the consideration or decision of this application.

The Commission of the Department of Public Utilities of the Commonwealth of Massachusetts,

Petitioner,

661 vs.

New York, New Haven and Hartford Railroad Company.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Dexter C. Dayton,

Petitioner,

205, Misc. vs.

Walter A. Hunter, Warden.

A second petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this application.

Richard Anderson Lowe,

Petitioner,

324, Misc. vs.

George D. Killinger, etc., et al.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

William Baumet,

Petitioner,

331, Misc. vs.

The United States of America, et al.

ON CONSIDERATION of the motion for leave to file a petition for rehearing in this case,

IT IS ORDERED by this Court that the said motion be, and it is hereby, denied.

Per Mr. Chief Justice Vinson.

James H. Vermillion,

Petitioner,

378, Misc. vs.

Eugene Meyer, et al.

ON CONSIDERATION of the motion for leave to file a petition for rehearing in this case,

IT IS ORDERED by this Court that the said motion be, and it is hereby, denied.

Per Mr. Chief Justice Vinson.

Melissa J. Rowe,

Petitioner,

391, Misc. vs.

Walter L. Green.

ON CONSIDERATION of the motion for leave to file a petition for rehearing in this case,

IT IS ORDERED by this Court that the said motion be, and it is hereby, denied.

Per Mr. Chief Justice Vinson.

Frederick Lee Spillmann,

Petitioner,

455, Misc. vs.

J. Vernal Jackson, Warden.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Dorman E. Shaw and Lill Alfred Crawford, Petitioners, vs. The United States of America. — On petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit. 289, Misc.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Sixth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Robert Clayton St. Clair, Petitioner, vs. William H. Hiatt, Warden. — On petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit. 320, Misc.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Fifth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Harmon M. Waley, Petitioner, vs. The United States of America. — On petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit. 323, Misc.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Ninth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Charles Lee McIntosh, Petitioner, vs. The United States of America. — On petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit.

330, Misc.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Eighth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Robert M. Simmons, Petitioner, vs. Walter A. Hunter, Warden. — On petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit.

332, Misc.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Tenth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Robert W. McMahan, Petitioner, vs. Walter A. Hunter, Warden. — On petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit.

350, Misc.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Tenth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Otis Spencer, Petitioner, vs. Albert A. Ridge, U. S. District Judge.

339, Misc.

On petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Eighth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Ferdinand Thompson, Petitioner, vs. Joseph E. Ragen, Warden.

340, Misc.

On petition for writ of certiorari to the Criminal Court of Cook County, State of Illinois.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Criminal Court of Cook County, State of Illinois, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Julius Bernard Sherman, Petitioner, vs. Joseph E. Ragen, Warden.

341, Misc.

On petition for writ of certiorari to the Criminal Court of Cook County, State of Illinois.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Criminal Court of Cook County, State of Illinois, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Willie Lewis, Petitioner, vs. Joseph E. Ragen, Warden. — On petition for writ of certiorari to the Criminal Court of Cook County, State of Illinois.

342, Misc.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Criminal Court of Cook County, State of Illinois, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Rolan L. Davison, Petitioner, vs. The United States of America. — On petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit.

349, Misc.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Eighth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

John Darman, Petitioner, vs. State of New York. — On petition for writ of certiorari to the Court of Appeals of the State of New York.

353, Misc.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Court of Appeals of the State of New York, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Paul Dean Barker, Petitioner, vs. The United States of America. 357, Misc. On petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Fifth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

William H. Jackson, Petitioner, vs. W. H. Hiatt, Warden. 379, Misc. On petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Fifth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Harley F. Smith, Petitioner, vs. Joseph E. Ragen, Warden. 384, Misc. On petition for writ of certiorari to the Circuit Court of Will County, State of Illinois.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Circuit Court of Will County, State of Illinois, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

George D. Pine, Petitioner, 399, Misc. vs. Joseph L. Boyle.

On petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the District of Columbia Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

James Edgar Lowrey, Petitioner, 411, Misc. vs. The United States of America.

On petition for writ of certiorari to the United States Court of Appeals for the Third Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Third Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

James D. Burson, Petitioner, 416, Misc. vs. R. W. Alvis, Warden.

On petition for writ of certiorari to the Supreme Court of the State of Ohio.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of Ohio, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Theodore A. Baldwin,
Petitioner,
418, Misc. vs.
William H. Hiatt, Warden.

On petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Fifth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Daniel F. Ahearn,
Petitioner,
423, Misc. vs.
State of New York.

On petition for writ of certiorari to the Court of Appeals of the State of New York.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Court of Appeals of the State of New York, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Hyman A. Kronberg, a Minor, by His Guardian Ad Litem, William Farnum White,
Petitioner,
431, Misc. vs.
Major General Willis H. Hale, et al.

On petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Ninth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Fred Banks, Petitioner, vs. Joseph E. Ragen, Warden. 436, Misc. — On petition for writ of certiorari to the Circuit Court of Will County, State of Illinois.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Circuit Court of Will County, State of Illinois, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

John W. Morton, Petitioner, vs. Ivan W. Steele, Warden. 453, Misc. — On petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Eighth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

James Nels Ekberg, Petitioner, vs. People of the State of California. 456, Misc. — On petition for writ of certiorari to the Supreme Court of the State of California.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of California, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Samuel White, Petitioner, vs. The United States of America.

462, Misc.

On petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Sixth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Oliver Marshall, Petitioner, vs. State of Indiana.

472, Misc.

On petition for writ of certiorari to the Circuit Court of Randolph County, State of Indiana.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Circuit Court of Randolph County, State of Indiana, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Homer L. Loomis, Jr., Petitioner, vs. Clark Edwards, Jr., Judge, etc.

474, Misc.

On petition for writ of certiorari to the Court of Appeals of the State of Georgia.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Court of Appeals of the State of Georgia, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Andrew Petrek, Petitioner, vs. State of Ohio. 475, Misc.

On petition for writ of certiorari to the Supreme Court of the State of Ohio.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of Ohio, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

James P. Duty, Petitioner, vs. Browning Robinson, Warden. 480, Misc.

On petition for writ of certiorari to the Circuit Court of Randolph County, State of Illinois.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Circuit Court of Randolph County, State of Illinois, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

George W. Henry, Petitioner, vs. F. S. Baldi, Superintendent. 482, Misc.

On petition for writ of certiorari to the Supreme Court of the Commonwealth of Pennsylvania.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the Commonwealth of Pennsylvania, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

John B. Hovis, Petitioner, vs. S. P. Ashe, Warden. — On petition for writ of certiorari to the Supreme Court of the Commonwealth of Pennsylvania.

483, Misc.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the Commonwealth of Pennsylvania, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Cecil C. Crebs, Petitioner, vs. Robert H. Hudspeth, Warden. — On petition for writ of certiorari to the Supreme Court of the State of Kansas.

485, Misc.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of Kansas, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Johnie Lee Johnson, Petitioner, vs. State of Indiana. — On petition for writ of certiorari to the Criminal Court of Lake County, State of Indiana.

487, Misc.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Criminal Court of Lake County, State of Indiana, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

William H. Campbell, Petitioner, vs. S. P. Ashe, Warden.

488, Misc.

On petition for writ of certiorari to the Supreme Court of the Commonwealth of Pennsylvania.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the Commonwealth of Pennsylvania, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

William Lester Keith, Petitioner, vs. State of Wyoming.

492, Misc.

On petition for writ of certiorari to the Supreme Court of the State of Wyoming.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of Wyoming, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Charles B. Blaksley, Petitioner, vs. State of Michigan.

493, Misc.

On petition for writ of certiorari to the Supreme Court of the State of Michigan.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of Michigan, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Charles E. Walshfer, Petitioner, vs. State of Michigan. — On petition for writ of certiorari to the Supreme Court of the State of Michigan.

494, Misc.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of Michigan, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Ray F. Harris, Petitioner, vs. Browning Robinson, Warden. — On petition for writ of certiorari to the Circuit Court of Randolph County, State of Illinois.

495, Misc.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Circuit Court of Randolph County, State of Illinois, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Harold Charles Moranda, Petitioner, vs. People of the State of California. — On petition for writ of certiorari to the Supreme Court of the State of California.

496, Misc.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of California, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Cambridge McMorris, Petitioner, vs. Stanley P. Ashe, Warden. — On petition for writ of certiorari to the Supreme Court of the Commonwealth of Pennsylvania.

500, Misc.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the Commonwealth of Pennsylvania, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Paul Vaccaro, Petitioner, vs. State of New York. — On petition for writ of certiorari to the County Court of Manhattan County, New York.

505, Misc.

ON CONSIDERATION of the petition for a writ of certiorari herein to the County Court of Manhattan County, New York, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Aldine T. Carroll, Petitioner, vs. Col. E. T. Swenson, Warden. — On petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit.

507, Misc.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Fourth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Malichi Holiday, Petitioner, vs. State of Maryland.

508, Misc.

On petition for writ of certiorari to the Court of Appeals of the State of Maryland.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Court of Appeals of the State of Maryland, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Thomas Stephenson, Petitioner, vs. George W. Page, Warden.

510, Misc.

On petition for writ of certiorari to the United States Court of Appeals for the Third Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Third Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Edgar D. Duffy, Petitioner, vs. Stanley P. Ashe, Warden.

513, Misc.

On petition for writ of certiorari to the Supreme Court of the Commonwealth of Pennsylvania.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the Commonwealth of Pennsylvania, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Wilbur Williams,
Petitioner,
516, Misc. vs.
State of Illinois.

On petition for writ of certiorari to the Supreme Court of the State of Illinois.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of Illinois, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Salvatore Oddo,
Petitioner,
420, Misc. vs.
People of the State of New York.

ON CONSIDERATION of the motion of Dominic Mundo to join in the petition for writ of certiorari in this case,

IT IS ORDERED by this Court that the said motion be, and it is hereby, denied.

Per Mr. Chief Justice Vinson.

Salvatore Oddo,
Petitioner,
420, Misc. vs.
People of the State of New York.

On petition for writ of certiorari to the Court of Appeals of the State of New York.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Court of Appeals of the State of New York, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Dillard E. Porter, Petitioner, vs. Robert A. Heinze, Warden. — On petition for writ of certiorari to the Supreme Court of the State of California.

469, Misc.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of California, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Dillard E. Porter, Petitioner, vs. Robert A. Heinze, Warden.

469, Misc.

ON CONSIDERATION of the motion for leave to file a petition for writ of mandamus in this case,

IT IS ORDERED by this Court that the said motion be, and it is hereby, denied.

Per Mr. Chief Justice Vinson.

Kenneth Pardee, Petitioner, vs. State of Michigan. — On petition for writ of certiorari to the Supreme Court of the State of Michigan.

479, Misc.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of Michigan, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Kenneth Pardee,

Petitioner,

479, Misc. vs.

State of Michigan.

ON CONSIDERATION of the motion for leave to file a petition for writ of habeas corpus herein,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Robert G. Gibbs,

Petitioner,

511, Misc. vs.

Stanley P. Ashe, Warden.

On petition for writ of certiorari to the Supreme Court of the Commonwealth of Pennsylvania.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the Commonwealth of Pennsylvania, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Robert G. Gibbs,

Petitioner,

511, Misc. vs.

Stanley P. Ashe, Warden.

ON CONSIDERATION of the petition for an appeal in this case,

IT IS ORDERED by this Court that the said petition for appeal be, and it is hereby, denied.

Per Mr. Chief Justice Vinson.

4278 Hazel Building Corporation, et al.,

Petitioners,

467, Misc. vs.

Albert Berest, et al.

ON CONSIDERATION of the motion for leave to file a petition for writ of certiorari in this case,

IT IS ORDERED by this Court that the said motion be, and it is hereby, denied.

Per Mr. Chief Justice Vinson.

James Farnsworth,

Petitioner,

477, Misc. vs.

John F. Foster, Warden.

ON CONSIDERATION of the motion for leave to file a petition for writ of certiorari in this case,

IT IS ORDERED by this Court that the said motion be, and it is hereby, denied.

Per Mr. Chief Justice Vinson.

Raymond Grant,

Petitioner,

499, Misc. vs.

Winfred Overholser.

ON CONSIDERATION of the motion for leave to file a petition for writ of certiorari in this case,

IT IS ORDERED by this Court that the said motion be, and it is hereby, denied.

Per Mr. Chief Justice Vinson.

Harry Edison Hackworth,

Petitioner,

486, Misc. vs.

W. H. Hiatt, Warden.

ON CONSIDERATION of the motion for leave to file a petition for writ of habeas corpus herein,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Richard Anderson Lowe,

Petitioner,

489, Misc. vs.

George W. Humphrey, Warden.

ON CONSIDERATION of the motion for leave to file a petition for writ of habeas corpus herein,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Morris Leder,

Petitioner,

506, Misc. vs.

People of the State of California.

ON CONSIDERATION of the motion for leave to file a petition for writ of habeas corpus herein,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Albert Woodrow Rash,

Petitioner,

490, Misc. vs.

Members of Board of Trustees of Indiana State Prison.

ON CONSIDERATION of the motion for leave to file a petition for writ of mandamus herein,

IT IS ORDERED by this Court that the said motion be, and it is hereby, denied.

Per Mr. Chief Justice Vinson.

Rolan L. Davison,

Petitioner,

503, Misc. vs.

United States District Court for the District of Kansas.

ON CONSIDERATION of the motion for leave to file a petition for writ of mandamus herein,

IT IS ORDERED by this Court that the said motion be, and it is hereby, denied.

Per Mr. Chief Justice Vinson.

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Proclamation being made the Court is adjourned until Monday, June 5, next, at 12 o'clock.

Pursuant to adjournment the Court met at the Supreme Court Building.

PRESENT:

The Honorable Fred M. Vinson, Chief Justice,
Hugo L. Black,
Stanley Reed,
Felix Frankfurter,
William O. Douglas,
Robert H. Jackson,
Harold H. Burton,
Tom C. Clark,
Sherman Minton,
Associate Justices,
Thomas Ennalls Waggaman, Esquire, Marshal,
Charles Elmore Cropley, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Solicitor General Philip B. Perlman, It is ordered that Ralph F. Bagley, Esquire, of Los Angeles, State of California; Bruce A. Pettijohn, Esquire, of Harrison, State of New York; Milton Greenstein, Esquire, of Chicago, State of Illinois; Samuel S. Siegel, Esquire, of Chicago, State of Illinois; Jackson Bosch, Esquire, of Hamilton, State of Ohio; Amerigo D'Agostino, Esquire, of Newark, State of New Jersey; and James J. Corrigan, Esquire, of Providence, State of Rhode Island, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Homer Ferguson, It is ordered that Harold J. Atkinson, Esquire, of Detroit, State of Michigan, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Clair Engle, It is ordered that Joe Raycraft, Esquire, of Los Angeles, State of California, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. William J. Hughes, Jr., It is ordered that Harry Wolpin, Esquire, of Los Angeles, State of California, and Earle Hepburn, Esquire, of Philadelphia, Commonwealth of Pennsylvania, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. John E. McClure, It is ordered that Jacob B. Courshon, Esquire, of Chicago, State of Illinois, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Edward R. Burke, It is ordered that Harold J. Siebenthaler, Esquire, of Cincinnati, State of Ohio, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. William R. Kueffner, It is ordered that Harold G. Cant, Esquire, of Minneapolis, State of Minnesota, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. William A. Roberts, It is ordered that Robt. E. McLaughlin, Esquire, of Washington, District of Columbia, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Gustav Drews, It is ordered that Edward F. Giblin, Jr., Esquire, of Long Island City, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. John W. Gaskins, It is ordered that Paul M. Rhodes, Esquire, of Washington, District of Columbia, and Harold Halpern, Esquire, of New York, State of New York, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Joseph F. Sharp, It is ordered that James Hall Brooks, Esquire, of New York, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Miss Marcella R. Schultz, It is ordered that Ira Kaye, Esquire, of New York, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. George A. Cassidy, Jr., It is ordered that Geo. L. Hubbell, Jr., Esquire, of New York, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Milton Carr Ferguson, It is ordered that Mildred Meyers Binzer, of Toledo, State of Ohio, be admitted to practice as an Attorney and Counsellor of this Court, and she was sworn accordingly. (Mrs.)

On motion first made to the Court in this behalf by Mr. Joseph A. Roney, It is ordered that Thomas H. Carolan, Esquire, of Washington, District of Columbia, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Hugh T. Fullerton, It is ordered that Murray Gartner, Esquire, of San Francisco, State of California, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Isidore H. Wachtel, It is ordered that Benjamin Spiegel, Esquire, of New York, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Martin W. Meyer, It is ordered that Robert Holt Myers, Esquire, of Chevy Chase, State of Maryland, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Wilbur D. Sparks, It is ordered that Louis Linton Dent, Esquire, of Chicago, State of Illinois, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Thomas J. Jackson, It is ordered that Benj. Gordon, Esquire, of Elizabeth, State of New Jersey, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. L. Welch Pogue, It is ordered that Edward C. Sweeney, Esquire, of Chicago, State of Illinois, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. J. Franklin Fort, It is ordered that James G. Mackey, Esquire, of Rockville Centre, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Charles C. Glover, III, It is ordered that Philip Bransfield Brown, Esquire, of Washington, District of Columbia, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Wilbur D. Sparks, It is ordered that Thomas B. Collins, Esquire, of Washington, District of Columbia, and Franklin N. Parks, Esquire, of Washington, District of Columbia, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Irwin Geiger, It is ordered that Albert A. Axelrod, Esquire, of San Francisco, State of California, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Martin A. Meyer, Jr., It is ordered that Harry Evans Proctor, Esquire, of Washington, District of Columbia, and John L. Reith, Esquire, of Oakland, State of California, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. John F. Wilkinson, It is ordered that William J. Drohan, Esquire, of New York, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Lawrence C. Moore, It is ordered that Albert E. Hadlock, Jr., Esquire, of New York, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Stanley L. Temko, It is ordered that Martin Atlas, Esquire, of Washington, District of Columbia, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. William B. Wolf, It is ordered that Shirley F. Mehl, of Brooklyn, State of New York, be admitted to practice as an Attorney and Counsellor of this Court, and she was sworn accordingly. (Miss)

On motion first made to the Court in this behalf by Mr. Stanley Folz, It is ordered that Irving J. Zipin, Esquire, of Philadelphia, Commonwealth of Pennsylvania, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Michael M. Kearney, It is ordered that Ralf Hillemann Owen, Esquire, of Washington, District of Columbia, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Robert G. Zeller, It is ordered that James E. Greeley, Esquire, of Washington, District of Columbia, and Howard R. Hawkins, Esquire, of New York, State of New York, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Franklin Clyde Baggarly, It is ordered that Ishmael Burton, Esquire, of Washington, District of Columbia, be admitted to practice as an Attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. J. Barrett Carter, It is ordered that Anthony J. Siciliano, Esquire, of Washington, District of Columbia, and Charles B. Sullivan, Jr., Esquire, of Washington, District of Columbia, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

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Automatic Radio Manufacturing Company, Inc.,

Petitioner,

455 vs.

Hazeltine Research, Inc.

On writ of certiorari to the United States Court of Appeals for the First Circuit.

THIS CAUSE came on to be heard on the transcript of the record from the United States Court of Appeals for the First Circuit, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is ordered and adjudged by this Court that the judgment of the said United States Court of Appeals, in this cause,

be, and the same is hereby, affirmed with costs; and that this cause be, and the same is hereby, remanded to the United States District Court for the District of Massachusetts.

Per Mr. Justice Minton.

Dissenting opinion by Mr. Justice Douglas in which Mr. Justice Black concurs.

Mr. Justice Jackson took no part in the consideration or decision of this case.

The United States, Petitioner, vs. Kansas City Life Insurance Company. — On writ of certiorari to the United States Court of Claims.

1

THIS CAUSE came on to be heard on the transcript of the record from the United States Court of Claims, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is ordered and adjudged by this Court that the judgment of the said Court of Claims in this cause, be, and the same is hereby, affirmed.

Per Mr. Justice Burton.

Dissenting opinion by Mr. Justice Douglas in which Mr. Justice Black, Mr. Justice Reed, and Mr. Justice Minton concur.

Dissenting opinion by Mr. Justice Minton.

Elmer W. Henderson, Appellant, vs. The United States of America, Interstate Commerce Commission, and Southern Railway Company. — Appeal from the United States District Court for the District of Maryland.

25

THIS CAUSE came on to be heard on the transcript of the record from the United States District Court for the District of Maryland, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is ordered, adjudged, and decreed by this Court that the decree of the said District Court in this cause be, and

the same is hereby, reversed; and that this cause, be, and the same is hereby, remanded to the said District Court with directions to set aside the order of the Interstate Commerce Commission which dismissed the original complaint herein and to remand the case to the Interstate Commerce Commission for further proceedings in conformity with the opinion of this Court.

Per Mr. Justice Burton.

Mr. Justice Douglas concurs in the result.

Mr. Justice Clark took no part in the consideration or decision of this case.

The United States, Petitioner, vs. Gerlach Live Stock Company; — On writs of certiorari to the United States Court of Claims.

4

The United States, Petitioner, vs. J. Sheldon Potter;

5

The United States, Petitioner, vs. Martin Erreca.

6

THESE CAUSES came on to be heard on the transcript of the record from the United States Court of Claims, and were argued by counsel.

ON CONSIDERATION WHEREOF, It is ordered and adjudged by this Court that the judgment of the said Court of Claims, in these causes, be, and the same is hereby, affirmed.

Per Mr. Justice Jackson.

Mr. Justice Black concurs in the judgment and opinion except that he agrees with Mr. Justice Douglas that interest should not be allowed.

Opinion by Mr. Justice Douglas concurring in part and dissenting in part.

The United States, Petitioner, vs. James J. Stevinson (a Corporation); — On writs of certiorari to the United States Court of Claims.

7

The United States, Petitioner, vs. Archibald J. Stevinson; — On writs of certiorari to the United States Court of Claims.

8

The United States, Petitioner, vs. 3-H Securities Company. — On writs of certiorari to the United States Court of Claims.

9

THESE CAUSES came on to be heard on the transcript of the record from the United States Court of Claims, and were argued by counsel.

ON CONSIDERATION WHEREOF, It is ordered and adjudged by this Court that the judgment of the said Court of Claims, in these causes, be, and the same is hereby, affirmed.

Per Mr. Justice Jackson.

Mr. Justice Black concurs in the judgment and opinion except that he agrees with Mr. Justice Douglas that interest should not be allowed.

Opinion by Mr. Justice Douglas concurring in part and dissenting in part.

Louis A. Johnson, Secretary of Defense of the United States, et al., Petitioners, vs. Lothar Eisentrager, Alias Ludwig Ehrhardt, on His Own Behalf and as Next Friend of Franz Siebert, et al. — On writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit.

306

THIS CAUSE came on to be heard on the transcript of the record from the United States Court of Appeals for the District of Columbia Circuit, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is ordered and adjudged by this Court that the judgment of the said United States Court of Appeals, in this cause, be, and the same is hereby, reversed, and the judgment of the District Court dismissing the petition for writ of habeas corpus is affirmed; and that this cause be, and the same is hereby, remanded to the United States District Court for the District of Columbia.

Per Mr. Justice Jackson.

Dissenting opinion by Mr. Justice Black in which Mr. Justice Douglas and Mr. Justice Burton concur.

The United States of America,

Plaintiff,

12, Original vs.

The State of Louisiana.

THIS CAUSE HAVING been argued on the complaint, answer, and motion of the United States for judgment, and the State of Louisiana having filed a motion for a jury trial.

ON CONSIDERATION WHEREOF, It is ordered and adjudged by this Court as follows: The Court holds that the United States is entitled to a decree adjudging its paramount rights in the area described in the complaint. The parties, or either of them, may before September 15, 1950, submit the form of decree to carry the opinion of this Court into effect. The motion of Louisiana for a jury trial is denied.

Per Mr. Justice Douglas.

Separate opinion by Mr. Justice Frankfurter.

Mr. Justice Jackson and Mr. Justice Clark took no part in the consideration or decision of this case.

The United States of America,

Plaintiff,

13, Original vs.

The State of Texas.

THIS CAUSE having been argued on the complaint, answer, and motion of the United States for judgment, and the State of Texas having filed

motions for an order to take depositions and for the appointment of a Special Master,

ON CONSIDERATION WHEREOF, it is ordered and adjudged by this Court as follows: The Court holds that the United States is entitled to a decree adjudging its paramount rights in the area described in the complaint. The parties, or either of them, may before September 15, 1950, submit the form of decree to carry the opinion of this Court into effect. The motions of Texas for an order to take depositions and for the appointment of a Special Master are denied.

Per Mr. Justice Douglas.

Dissenting opinion by Mr. Justice Reed in which Mr. Justice Minton joins.

Separate opinion by Mr. Justice Frankfurter.

Mr. Justice Jackson and Mr. Justice Clark took no part in the consideration or decision of this case.

Charles Quicksall, Petitioner, vs. People of the State of Michigan.

On writ of certiorari to the Supreme Court of the State of Michigan.

33

THIS CAUSE came on to be heard on the transcript of the record from the Supreme Court of the State of Michigan, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is ordered and adjudged by this Court that the judgment of the said Supreme Court, in this cause, be, and the same is hereby, affirmed.

Per Mr. Justice Frankfurter.

Dissenting: Mr. Justice Black.

Mr. Justice Douglas took no part in the consideration or decision of this case.

Skelly Oil Company, et al., Petitioners, vs. Phillips Petroleum Company. — On writ of certiorari to the United States Court of Appeals for the Tenth Circuit.

221

THIS CAUSE came on to be heard on the transcript of the record from the United States Court of Appeals for the Tenth Circuit and was argued by counsel.

ON CONSIDERATION WHEREOF, It is ordered and adjudged by this Court as follows: In respect to Magnolia Petroleum Company the judgment of the Court of Appeals is vacated. As to Skelly Oil Company and Stanolind Oil and Gas Company the judgment is reversed and the cause as to them is remanded with directions to dismiss. Five-sixths of the costs in this Court shall be taxed against Phillips Petroleum Company and one-sixth against Magnolia Petroleum Company.

IT IS FURTHER ORDERED that this cause be, and it is hereby, remanded to the said Court of Appeals for further proceedings not inconsistent with the opinion of this Court.

Per Mr. Justice Frankfurter.

Mr. Justice Black agrees with the Court of Appeals and would affirm its judgment.

Opinion by Mr. Chief Justice Vinson dissenting in part in which Mr. Justice Burton joins.

Mr. Justice Douglas took no part in the consideration or disposition of this case.

Swift & Company Packers, et al., Petitioners, vs. Compania Colombiana Del Caribe, SA. — On writ of certiorari to the United States Court of Appeals for the Fifth Circuit.

230

THIS CAUSE came on to be heard on the transcript of the record from the United States Court of Appeals for the Fifth Circuit, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is ordered and adjudged by this Court that the judgment of the said United States Court of Appeals, in this cause, be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the United States District Court for the Canal Zone for proceedings not inconsistent with the opinion of this Court.

Per Mr. Justice Frankfurter.

Mr. Justice Douglas took no part in the consideration or decision of this case.

Travelers Health Association and R. E. Pratt, as Treasurer Thereof, and in His Personal Capacity,

Appellants,

76 vs.

Commonwealth of Virginia, at the Relation of State Corporation Commission.

Appeal from the Supreme Court of Appeals of the Commonwealth of Virginia.

THIS CAUSE came on to be heard on the transcript of the record from the Supreme Court of Appeals of the Commonwealth of Virginia, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court of Appeals, in this cause, be, and the same is hereby, affirmed with costs.

Per Mr. Justice Black.

Concurring opinion by Mr. Justice Douglas.
Dissenting opinion by Mr. Justice Minton in which Mr. Justice Jackson joins.
Mr. Justice Reed and Mr. Justice Frankfurter, agreeing with Court in reaching the merits, on the merits join in the dissenting opinion of Mr. Justice Minton.

Commissioner of Internal Revenue,

Petitioner,

384 vs.

Christian W. Korell.

On writ of certiorari to the United States Court of Appeals for the Second Circuit.

THIS CAUSE came on to be heard on the transcript of the record from the United States Court of Appeals for the Second Circuit, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is ordered and adjudged by this Court that the judgment of the said United States Court of Appeals, in this cause, be, and the same is hereby, affirmed; and that this cause be, and the same is hereby, remanded to the said Court of Appeals.

Per Mr. Chief Justice Vinson.

Dissenting: Mr. Justice Black.

Mr. Justice Douglas and Mr. Justice Jackson took no part in the consideration or decision of this case.

Heman Marion Sweatt, Petitioner, vs. Theophilis Shickel Painter, et al. 44

On writ of certiorari to the Supreme Court of the State of Texas.

THIS CAUSE came on to be heard on the transcript of the record from the Supreme Court of the State of Texas, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is ordered and adjudged by this Court that the judgment of the said Supreme Court, in this cause, be, and the same is hereby, reversed with costs; and that this cause, be, and the same is hereby, remanded to the Supreme Court of Texas for proceedings not inconsistent with the opinion of this Court.

Per Mr. Chief Justice Vinson.

G. W. McLaurin, Appellant, vs. Oklahoma State Regents for Higher Education, Board of Regents of University of Oklahoma, et al. 34

Appeal from the United States District Court for the Western District of Oklahoma.

THIS CAUSE came on to be heard on the transcript of the record from the United States District Court for the Western District of Oklahoma, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is ordered, adjudged, and decreed by this Court that the decree of the said District Court in this cause be, and the same is hereby, reversed with costs; and that this cause, be, and the same is hereby, remanded to the said District Court for proceedings in conformity with the opinion of this Court.

Per Mr. Chief Justice Vinson.

William A. Lyon, Superintendent of Banks of the State of New York, as Liquidator of the Business and Property in the State of New York of Yokohama Specie Bank, Ltd.,

Petitioner,

512 vs.

Eugene T. Singer, and

Eugene T. Singer,

Petitioner,

527 vs.

The Yokohama Specie Bank, Limited, and William A. Lyon, Superintendent of Banks of the State of New York, etc.

On writs of certiorari to the Court of Appeals of the State of New York.

THIS CAUSE came on to be heard on the transcript of the record from the Court of Appeals of the State of New York, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is ordered and adjudged by this Court that the judgment of the said Court of Appeals, in this cause, be, and the same is hereby, affirmed with costs.

Per Mr. Chief Justice Vinson.

William A. Lyon, Superintendent of Banks of the State of New York, as Liquidator of the Business and Property of Yokohama Specie Bank, Ltd.,

Petitioner,

513 vs.

Banque Mellie Iran, and

Banque Mellie Iran,

Petitioner,

528 vs.

William A. Lyon, Superintendent of Banks of the State of New York, etc.

On writs of certiorari to the Court of Appeals of the State of New York.

THIS CAUSE came on to be heard on the transcript of the record from the Court of Appeals of the State of New York, and was argued by counsel.

ON CONSIDERATION WHEREOF, It is ordered and adjudged by this Court that the judgment of the said Court of Appeals, in this cause, be, and the same is hereby, affirmed with costs.

Per Mr. Chief Justice Vinson.

Mr. Justice Frankfurter is of the opinion that the writs of certiorari in these two cases should be dismissed.

William Henry Roberts,

Petitioner,

2, Misc. vs.

The United States District Court for the Northern District of California.

THIS CAUSE came on to be heard on the motion for leave to file a petition for writ of mandamus and was argued by counsel for petitioner,

ON CONSIDERATION WHEREOF, It is ordered by this Court that the motion for leave to file a petition for writ of mandamus herein be, and it is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Frankfurter took no part in the consideration or decision of this case.

Arthur Osman, David Livingston, Jack Paley, et al.,

Appellants,

12 vs.

Charles T. Douds, Individually and as Regional Director of the National Labor Relations Board.

Appeal from the United States District Court for the Southern District of New York.

THIS CAUSE came on to be heard on the transcript of the record from the United States District Court for the Southern District of New York, and was duly submitted.

ON CONSIDERATION WHEREOF, It is ordered, adjudged, and decreed by this Court that the decree of the said District Court in this cause be, and the same is hereby, affirmed.

Per Mr. Chief Justice Vinson.

See opinion for concurrences and dissents.

Mr. Justice Clark took no part in the consideration or decision of this case.

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The Chief Justice announced the following orders of the Court:

A. J. Pelman,

Appellant,

814 vs.

The United States of America and Federal Communications Commission.

Appeal from the United States District Court for the Northern District of Illinois.

THIS CAUSE came on to be heard on the transcript of the record from the United States District Court for the Northern District of Illinois, and on motion to affirm, which was duly submitted.

ON CONSIDERATION WHEREOF, It is ordered by this Court that the motion to affirm the decree of the District Court in this cause be, and the same is hereby, granted.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that the decree of the said District Court in this cause be, and the same is hereby, affirmed.

Per Mr. Chief Justice Vinson.

Consolidated Edison Company of New York, Inc.,

Appellant,

824 vs.

Milo R. Maltbie, Neal Brewster, Maurice C. Burritt, et al.

Appeal from the Supreme Court of the State of New York, Albany County.

THIS CAUSE came on to be heard on the transcript of the record from the Supreme Court of the State of New York, Albany County, and on motion to dismiss or affirm, which was duly submitted.

ON CONSIDERATION WHEREOF, It is now here ordered by this Court that the motion to dismiss the appeal herein be, and the same is hereby, granted.

IT IS FURTHER ORDERED that the appeal herein be, and the same is hereby, dismissed for the want of a substantial federal question.

Per Mr. Chief Justice Vinson.

Angel B. Serna,

Appellant,

838 vs.

Lon Walters, Warden of the Arizona State Prison.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, granted.

Per Mr. Chief Justice Vinson.

Angel B. Serna, Appellant, Appeal from the Supreme Court of the State of Arizona.

838 vs.

Lon Walters, Warden of the Arizona State Prison.

THIS CAUSE came on to be heard on the transcript of the record from the Supreme Court of the State of Arizona, and was duly submitted.

ON CONSIDERATION WHEREOF, It is now here ordered by this Court that the appeal herein be, and the same is hereby, dismissed for the want of jurisdiction.

Per Mr. Chief Justice Vinson.

Angel B. Serna, Appellant, Appeal from the Supreme Court of the State of Arizona.

838 vs.

Lon Walters, Warden of the Arizona State Prison.

TREATING the appeal papers herein from the Supreme Court of the State of Arizona as an application for a writ of certiorari;

ON CONSIDERATION WHEREOF, It is ordered by this Court that the said application for writ of certiorari be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Loew's, Incorporated,
Appellant,
844 vs.
The United States of America;

Appeals from the United States District Court for the Southern District of New York.

Warner Bros. Pictures, Inc., et al.,
Appellants,
845 vs.
The United States of America;

Twentieth Century-Fox Film Corporation, et al.,
Appellants,
846 vs.
The United States of America; and

The United States of America,
Appellant,
847 vs.
Loew's, Incorporated, et al.

THIS CAUSE came on to be heard on the transcript of the record from the United States District Court for the Southern District of New York, and was duly submitted.

ON CONSIDERATION WHEREOF, It is ordered, adjudged, and decreed by this Court that the decree of the said District Court dated February 8, 1950, be, and the same is hereby, affirmed.

Per Mr. Chief Justice Vinson.

Mr. Justice Jackson and Mr. Justice Clark took no part in the consideration or decision of this cause.

Joe Shoong and Rose Shoong, Petitioners,

453 vs.

Commissioner of Internal Revenue.

Order allowing certiorari.

The petition herein for a writ of certiorari to the United States Court of Appeals for the Ninth Circuit is granted. And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this case.

Joe Shoong and Rose Shoong, Petitioners,

453 vs.

Commissioner of Internal Revenue.

On writ of certiorari to the United States Court of Appeals for the Ninth Circuit.

THIS CAUSE came on to be heard on the transcript of the record from the United States Court of Appeals for the Ninth Circuit, and was duly submitted.

ON CONSIDERATION WHEREOF, It is ordered and adjudged by this Court that the judgment of the said United States Court of Appeals, in this cause, be, and the same is hereby, reversed; and that this cause be, and the same is hereby, remanded to the said Court of Appeals for further proceedings. Commissioner v. Korell, No. 384, October Term, 1949, decided June 5, 1950.

Per Mr. Chief Justice Vinson.

Dissenting: Mr. Justice Black.

Mr. Justice Douglas took no part in the consideration or decision of this case.

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The Chief Justice said:

"The other orders of the Court appear upon the list certified by the Chief Justice and filed with the Clerk and will not be announced orally."

Edward Fretwell Prichard, Jr., Petitioner, vs. The United States of America. On petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit.

795

The Chief Justice, Mr. Justice Reed, Mr. Justice Frankfurter, and Mr. Justice Clark have disqualified themselves in this case. Because of this absence of a quorum, 28 U. S. C. §1, and since a majority of the qualified justices are of the opinion that the case cannot be heard and determined at the next term of court, the judgment of the Court of Appeals is affirmed under 28 U. S. C. §2109, which provides that under these circumstances "the court shall enter its order affirming the judgment of the court from which the case was brought for review with the same effect as upon affirmance by an equally divided court."

Per Mr. Justice Black.

The State of Georgia, Complainant, vs. The Pennsylvania Railroad Company, et al.

10, Original

UPON submission of the report of the Special Master herein, it is ordered that it be received and filed. Exceptions and objections of the parties, if any, shall be filed within ninety days thereafter.

Per Mr. Chief Justice Vinson.

The United States of America, Complainant, vs. The State of California.

11, Original

ON CONSIDERATION of the motion of Harold L. Ickes for leave to file suggestions as to the leases and stipulations in this case,

IT IS ORDERED by this Court that the said motion be, and it is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Jackson and Mr. Justice Clark took no part in the consideration or decision of this motion.

Graver Tank and Mfg. Co., Inc., et al.,

Petitioners,

2 vs.

The Linde Air Products Company.

ON CONSIDERATION of the motion of counsel for respondent to issue the mandate forthwith in this case,

IT IS ORDERED by this Court that the said motion be, and it is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Minton took no part in the consideration or decision of this motion.

Standard Oil Company,

Petitioner,

107 vs.

Federal Trade Commission.

This case is ordered restored to the docket for reargument.

Per Mr. Chief Justice Vinson.

Larry Gara,

Petitioner,

609 vs.

The United States of America.

ON CONSIDERATION of the motion for leave to file brief of Ohio Pastors Convention as amicus curiae in this case,

IT IS ORDERED by this Court that the said motion be, and it is hereby, denied.

Per Mr. Chief Justice Vinson.

Phillips Petroleum Company,

Appellant,

821 vs.

The State of Oklahoma, et al.

The statement of jurisdiction in this case having been submitted and considered by the Court, probable jurisdiction is noted.

Per Mr. Chief Justice Vinson.

The United States of America,

Appellant,

832 vs.

Mrs. Maria Melitona Sanchez and Armand Mota.

The statement of jurisdiction in this case having been submitted and considered by the Court, probable jurisdiction is noted.

Per Mr. Chief Justice Vinson.

Standard Oil Company of New Jersey, Order allowing certiorari.

Petitioner,

663 vs.

The United States of America, as Owner of the United States Ship YMS - 12.

The petition herein for a writ of certiorari to the United States Court of Appeals for the Second Circuit is granted. The case is transferred to the summary docket.

And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

Standard Oil Company of New Jersey, as Owner of the Steam Tanker John Worthington,

Petitioner,

664 vs.

The United States of America.

Order allowing certiorari.

The petition herein for a writ of certiorari to the United States Court of Appeals for the Second Circuit is granted. The case is transferred to the summary docket.

And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

Libby, McNeill and Libby, a Corporation,

Petitioner,

710 vs.

The United States.

Order allowing certiorari.

The petition herein for a writ of certiorari to the United States Court of Claims is granted. The case is transferred to the summary docket and assigned for argument immediately following Standard Oil Company of New Jersey vs. The United States of America, Nos. 663 and 664.

And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

Dorothy Bailey,

Petitioner,

766 vs.

Seth W. Richardson, et al.

Order allowing certiorari.

The petition herein for a writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit is granted. The case is assigned for argument immediately following No. 554, National Council of American-Soviet Friendship, Inc., et al. vs. McGrath, Attorney General.

And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

Marton L. Whelchel, Petitioner, vs. A. McDonald, Warden. — On petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit.

429, Misc.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, granted. The case is transferred to the appellate docket as No. 866 and placed on the summary docket.

It is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

Thomas A. Gusik, a Minor, by His Father and Next Friend John Gusik, Petitioner, vs. L. C. Schilder, Warden. — On petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit.

545, Misc.

ON CONSIDERATION of the motion for leave to proceed herein in forma pauperis and of the petition for writ of certiorari, it is ordered by this Court that the motion to proceed in forma pauperis be, and the same is hereby, granted; and that the petition for writ of certiorari be, and the same is hereby, granted. The case is transferred to the appellate docket as No. 867. The case is also placed on the summary docket and assigned for argument immediately following Whelchel vs. McDonald, No. 429, Misc., now No. 866 on the appellate docket.

It is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

Per Mr. Chief Justice Vinson.

The United States, Petitioner, vs. East Side Canal and Irrigation Company and Stevinson Water District. 647

On petition for writ of certiorari to the United States Court of Claims.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Claims, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Helen K. Henjes and Edmund F. Bowen, as Executors of the last will and testament of Gerd H. Henjes, deceased, et al., Petitioners, vs. The United States. 705

On petition for writ of certiorari to the United States Court of Claims.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Claims, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Lena Simonsen, Petitioner, vs. John W. Emmerling, Trustee of Franklin Building Company. 740

On petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Seventh Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

John W. Emmerling, Trustee of Franklin Building Company,

Petitioner,

761 vs.

Robert W. Schroeder.

On petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Seventh Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

John W. Emmerling, Trustee of Franklin Building Company,

Petitioner,

762 vs.

Mollie Schroeder and June Kuptz.

On petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Seventh Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

The United States of America,

Petitioner,

743 vs.

Harry S. Knight.

On petition for writ of certiorari to the United States Court of Appeals for the Third Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Third Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Jessica S. Mahana, Petitioner, vs. The United States. — On petition for writ of certiorari to the United States Court of Claims.

745

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Claims, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson

Alfred L. Seavey, Petitioner, vs. The United States of America. — On petition for writ of certiorari to the United States Court of Appeals for the Third Circuit.

756

ON CONSIDERATION of the petition for a writ of certiorari herein to [redacted] Court of Appeals for the Third Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

State of Iowa, Conservation Commission of Iowa, Highway Commission of Iowa, et al., Petitioners, vs. Federal Power Commission, First Iowa Hydro-Electric Cooperative. — On petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit.

760

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Eighth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

De Mothezat Impeller Company, Inc., Petitioner,

763 vs.

American Machine and Metals, Inc.

On petition for writ of certiorari to the United States Court of Appeals for the Second Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Second Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Milton Theodore Shafer, Petitioner,

764 vs.

The United States of America.

On petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Ninth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Francis H. Montmarquet, D/B/A O. C. Manufacturing Company, Petitioner,

765 vs.

Johnson and Johnson.

On petition for writ of certiorari to the United States Court of Appeals for the Third Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Third Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Edward Jackson Murray,
Petitioner,
769 vs.
Lt. Gen. Albert C. Wedemeyer, United States Army, Commanding General, 6th Army, Presidio of San Francisco, California.

On petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Ninth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Harry Y. Victor and Ella S. Victor, his wife, et al.,
Petitioners,
776 vs.
Herbert Hillebrecht, et al.

On petition for writ of certiorari to the Supreme Court of the State of Illinois.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of Illinois, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Huntington Palisades Property Owners Corporation, Ltd.,
Petitioner,
779 vs.
Metropolitan Finance Corporation of California.

On petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Ninth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Clarence Jackson,

Petitioner,

783 vs.

Herman J. Ruthazen, Warden of the City Prison, Borough of Manhattan, 125 White Street, New York.

On petition for writ of certiorari to the United States Court of Appeals for the Second Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Second Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

C. A. Mahon,

Petitioner,

784 vs.

George Bennett, doing business as George Bennett Construction Company and Harry Bennett.

On petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Eighth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Firemen's Insurance Company of Newark, New Jersey,

Petitioner,

791 vs.

A. Walter Smith and Virginia Smith.

On petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Eighth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

E. R. Moody, Owner, Ferry Barge Martha Ruth Moody,
Petitioner,
793 vs.
Leonard Edmonston, Administrator of the Estates of Charlie W. Vaughn, et al.

On petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Sixth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

James B. Richardson, Trustee,
Petitioner,
794 vs.
National Acceptance Company of Chicago.

On petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Seventh Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

William Joseph Hudson,
Petitioner,
796 vs.
The United States of America.

On petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Fourth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Daniel D. Lynch, Petitioner, vs. The United States of America. — On petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit.

800

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Seventh Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Edwin H. Pilson, Petitioner, vs. Marjorie Pilson Salvoni. — On petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit.

823

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the District of Columbia Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Robert L. Wixom, Petitioner, vs. The United States of America. — On petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit.

828

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Seventh Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

William Henry Jackson,
Petitioner,
841 vs.
The United States of America.

On petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Sixth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Joseph Dorsey, Monroe Dowling and Calvin Harper,
Petitioners,
402 vs.
Stuyvesant Town Corporation and Metropolitan Life Insurance Company.

On petition for writ of certiorari to the Court of Appeals of the State of New York.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Court of Appeals of the State of New York, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Black and Mr. Justice Douglas are of the opinion certiorari should be granted.

The United States,
Petitioner,
579 vs.
Iowa-Wisconsin Bridge Company, a Corporation organized under the laws of the State of Delaware, et al.

On petition for writ of certiorari to the United States Court of Claims.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Claims, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Black and Mr. Justice Reed are of the opinion certiorari should be granted.

Ernest L. Levine, Petitioner, vs. David H. Berman and Dorothy Berman, Co-partners, doing business under the firm name and style of David H. Berman Co.

759 — On petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Seventh Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Minton took no part in the consideration or decision of this application.

Marie Julia Young Kaufman Pratt, et al., Petitioners, vs. Margaret De Korwin, individually and as executrix of the will of Joseph Maria De Korwin, deceased.

771 — On petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Seventh Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Minton took no part in the consideration or decision of this application.

Marie Julia Young Kaufman Pratt, et al., Petitioners, vs. Margaret De Korwin, individually and as executrix of the will of Joseph Maria De Korwin, deceased.

772 — On petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Seventh Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Minton took no part in the consideration or decision of this application.

Marie Julia Young Kaufman Pratt, et al., Petitioners,

773 vs.

Margaret De Korwin, individually and as executrix of the will of Joseph Maria De Korwin, deceased.

On petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Seventh Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Minton took no part in the consideration or decision of this application.

Margaret De Korwin, individually and as executrix, etc., et al., Petitioners,

789 vs.

The First National Bank of Chicago, et al.

On petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Seventh Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Minton took no part in the consideration or decision of this application.

Gwendolyn Young Heyworth Koch, Petitioner,

790 vs.

Margaret De Korwin, individually and as executrix, etc., et al.

On petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Seventh Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Minton took no part in the consideration or decision of this application.

General Steel Castings Corporation, et al.,

Petitioners,

775 vs.

John S. Kroese.

On petition for writ of certiorari to the United States Court of Appeals for the Third Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Third Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Minton took no part in the consideration or decision of this application.

Yvette J. Madsen,

Petitioner,

778 vs.

Louis A. Johnson, Secretary of Defense, et al.

On petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the District of Columbia Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Yvette J. Madsen,

Petitioner,

491, Misc. vs.

Louis A. Johnson, et al.

ON CONSIDERATION of the motion for leave to file a petition for writ of habeas corpus herein,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

William J. Drury,

Petitioner,

780 vs.

Stephen E. Hurley, et al., etc.; and

Thomas E. Connelly,

Petitioner,

781 vs.

Stephen E. Hurley, et al., etc.

ON CONSIDERATION of the motion for leave to dispense with printing the record in these cases,

IT IS ORDERED by this Court that the said motion be, and it is hereby, granted.

Per Mr. Chief Justice Vinson.

William J. Drury, Petitioner, 780 vs. Stephen E. Hurley, et al., Civil Service Commissioners of the City of Chicago.

On petition for writ of certiorari to the Appellate Court for the First District of the State of Illinois.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Appellate Court for the First District of the State of Illinois, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Thomas E. Connelly, Petitioner, 781 vs. Stephen E. Hurley, et al., Civil Service Commissioners of the City of Chicago.

On petition for writ of certiorari to the Appellate Court for the First District of the State of Illinois.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Appellate Court for the First District of the State of Illinois, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Richard Eichenlaub,

Petitioner,

788 vs.

The United States of America.

On petition for writ of certiorari to the United States Court of Appeals for the Second Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Second Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Clark took no part in the consideration or decision of this application.

Bennett E. Meyers,

Petitioner,

802 vs.

The United States of America and Donald Clemmer, Director, Department of Corrections, District of Columbia.

On petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the District of Columbia Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Clark took no part in the consideration or decision of this application.

American Communications Association, C. I. O., et al.,

Appellants,

10 vs.

Charles T. Douds, Individually and as Regional Director of the National Labor Relations Board.

ON CONSIDERATION of the motion for leave to file brief of the National Lawyers Guild as amicus curiae in this case,

IT IS ORDERED by this Court that the said motion be, and it is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas, Mr. Justice Clark, and Mr. Justice Minton took no part in the consideration or decision of this motion.

American Communications Association,
C. I. O., et al.,

Appellants,

10 vs.

Charles T. Douds, Individually and as
Regional Director of the National Labor
Relations Board.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas, Mr. Justice Clark, and Mr. Justice Minton took no part in the consideration or decision of this petition.

United Steelworkers of America, et al.,

Petitioners,

13 vs.

National Labor Relations Board.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas, Mr. Justice Clark, and Mr. Justice Minton took no part in the consideration or decision of this petition.

The United States of America,

Petitioner,

98 vs.

Ernestina G. Fleischman; and

The United States of America,

Petitioner,

99 vs.

Helen R. Bryan.

A petition for rehearing having been filed in these cases,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Clark took no part in the consideration or decision of

International Brotherhood of Teamsters, Chauffeurs, Warehousemen, and Helpers Union, Local 309, et al.,

Petitioners,

309 vs.

A. E. Hanke, et al., Copartners, etc.; and

Automobile Drivers and Demonstrators Local Union No. 882, et al.,

Petitioners,

364 vs.

George E. Cline.

A petition for rehearing having been filed in these cases,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this petition.

Building Service Employees International Union, Local 262, et al.,

Petitioners,

449 vs.

W. L. Gazzam.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this petition.

Duncan Coffee Company,

Petitioner,

542 vs.

Reconstruction Finance Corporation.

ON CONSIDERATION of the motion of Wright Patman for leave to file brief as amicus curiae in this case,

IT IS ORDERED by this Court that the said motion be, and it is hereby, denied.

Per Mr. Chief Justice Vinson.

Duncan Coffee Company,

Petitioner,

542 vs.

Reconstruction Finance Corporation.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Morrison T. Wade and Bessie Lou Tanner Wade,

Petitioners,

621 vs.

The People of the State of Michigan.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

William M. Brown,

Petitioner,

691 vs.

Kenneth C. Royall, Secretary of the Army, et al.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Bentley S. Handwork, et al., Individually and as Trustees, etc.,

Petitioners,

695 & 696 vs.

Horace A. Young, as Trustee in Bankruptcy of the Estate of George R. Joslyn, Bankrupt.

A petition for rehearing having been filed in these cases,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Garfield A. Berlinsky,

Petitioner,

697 vs.

Tighe E. Woods, Housing Expediter, Office of Housing Expediter, et al.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Jay M. Rowland,

Petitioner,

699 vs.

State of Arkansas.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Jepson L. Nelson and Charles W. Reeves,

Petitioners,

721 vs.

Louis Johnson, Secretary of National Defense, et al.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

The Emery Transportation Company,

Appellant,

754 vs.

The United States of America, et al.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Annie Mary Timmons,

Petitioner,

429 vs.

J. D. Pagan.

ON CONSIDERATION of the motion for leave to file a petition for rehearing in this case,

IT IS ORDERED by this Court that the said motion be, and it is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this motion.

Julia B. Minton,

Petitioner,

119, Misc. vs.

Theodore Britton, Deputy Commissioner.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Douglas took no part in the consideration or decision of this petition.

Sadie Smith and Minnie Smith,

Petitioners,

413, Misc. vs.

Mr. and Mrs. J. L. Holt.

ON CONSIDERATION of the motion to defer consideration of the petition for rehearing in this case,

IT IS ORDERED by this Court that the said motion be, and it is hereby, denied.

Per Mr. Chief Justice Vinson.

Sadie Smith and Minnie Smith,

Petitioners,

413, Misc. vs.

Mr. and Mrs. J. L. Holt.

A petition for rehearing having been filed in this case,

UPON CONSIDERATION thereof, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Hans-Joachim Falkenstein,

Petitioner,

427, Misc. vs.

People of the State of New York.

ON CONSIDERATION of the motion for leave to file a petition for rehearing in this case,

IT IS ORDERED by this Court that the said motion be, and it is hereby, denied.

Per Mr. Chief Justice Vinson.

James McClannahan,

Petitioner,

48, Misc. vs.

People of the State of Michigan.

On petition for writ of certiorari to the Supreme Court of the State of Michigan.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of Michigan, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Black and Mr. Justice Douglas are of the opinion the petition should be granted.

Elmer A. Melanson, Petitioner, vs. Commonwealth of Massachusetts. 190, Misc. — On petition for writ of certiorari to the Superior Court of Berkshire County, Commonwealth of Massachusetts.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Superior Court of Berkshire County, Commonwealth of Massachusetts, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Black and Mr. Justice Douglas are of the opinion the petition should be granted.

John H. Blondin, Petitioner, vs. Commonwealth of Massachusetts. 192, Misc. — On petition for writ of certiorari to the Superior Court of Berkshire County, Commonwealth of Massachusetts.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Superior Court of Berkshire County, Commonwealth of Massachusetts, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Black and Mr. Justice Douglas are of the opinion the petition should be granted.

Ronald W. Morin, Petitioner, vs. Commonwealth of Massachusetts. 194, Misc. — On petition for writ of certiorari to the Superior Court of Berkshire County, Commonwealth of Massachusetts.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Superior Court of Berkshire County, Commonwealth of Massachusetts, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Black and Mr. Justice Douglas are of the opinion the petition should be granted.

Elmer A. Melanson, Petitioner, vs. Commonwealth of Massachusetts. — On petition for writ of certiorari to the Supreme Judicial Court of Suffolk County, Commonwealth of Massachusetts.

191, Misc.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Judicial Court of Suffolk County, Commonwealth of Massachusetts, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Black and Mr. Justice Douglas are of the opinion the petition should be granted.

John H. Biondin, Petitioner, vs. Commonwealth of Massachusetts. — On petition for writ of certiorari to the Supreme Judicial Court of Suffolk County, Commonwealth of Massachusetts.

193, Misc.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Judicial Court of Suffolk County, Commonwealth of Massachusetts, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Black and Mr. Justice Douglas are of the opinion the petition should be granted.

Ronald W. Morin, Petitioner, vs. Commonwealth of Massachusetts. — On petition for writ of certiorari to the Supreme Judicial Court of Suffolk County, Commonwealth of Massachusetts.

195, Misc.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Judicial Court of Suffolk County, Commonwealth of Massachusetts, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Black and Mr. Justice Douglas are of the opinion the petition should be granted.

Charles Evans, Petitioner, vs. Browning Robinson, Warden. 233, Misc. — On petition for writ of certiorari to the Circuit Court of Saint Clair County, of the State of Illinois.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Circuit Court of Saint Clair County of the State of Illinois, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Hilliard Sanders, Petitioner, vs. Edwin B. Swope, Warden. 236, Misc. — On petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Ninth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

William Edward Alred, Petitioner, vs. James V. Bennett, etc., et al. 244, Misc. — On petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Fifth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Lloyd Beverly Hart, Petitioner, vs. The United States of America.

334, Misc.

On petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Eighth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Bonewicz X. Dawson, Petitioner, vs. The United States of America.

359, Misc.

On petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Ninth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

P. E. Nemec, Petitioner, vs. The United States of America.

370, Misc.

On petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Ninth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Homer C. Price, Petitioner, vs. E. B. Swope, Warden. — On petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit.

372, Misc.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Ninth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Alfred Glen Symons, Petitioner, vs. United States of America. — On petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit.

375, Misc.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Ninth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Johnie M. Powers, Petitioner, vs. Walter A. Hunter, Warden. — On petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit.

415, Misc.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Tenth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Carolyn Elizabeth Schmidt, Administratrix of the Estate of Calvin Dale Schmidt, deceased, et al., Petitioners, vs. The United States of America. 445, Misc. On petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Tenth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Dorothy Ruth Fitzhugh, Petitioner, vs. State of Alabama. 446, Misc. On petition for writ of certiorari to the Court of Appeals of the State of Alabama.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Court of Appeals of the State of Alabama, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Julius Sturm, Petitioner, vs. The United States of America. 460, Misc. On petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Seventh Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Augustin Young, Petitioner, vs. New York Central Railroad Company. — On petition for writ of certiorari to the Court of Appeals of Cuyahoga County of the State of Ohio.

466, Misc.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Court of Appeals of Cuyahoga County of the State of Ohio, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Fletcher Mills, Petitioner, vs. Frederick S. Baldi, Superintendent. — On petition for writ of certiorari to the Superior Court of the Commonwealth of Pennsylvania.

476, Misc.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Superior Court of the Commonwealth of Pennsylvania, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Fletcher Mills, Petitioner, vs. Frederick S. Baldi, Superintendent. — On petition for writ of certiorari to the Supreme Court of the Commonwealth of Pennsylvania.

476, Misc.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the Commonwealth of Pennsylvania, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Lawrence Goodall,
Petitioner,
501, Misc. vs.
The United States of America.

On petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the District of Columbia Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Royal Lamora,
Petitioner,
502, Misc. vs.
State of Ohio.

On petition for writ of certiorari to the Supreme Court of the State of Ohio.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of Ohio, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Pannie J. Licznerski, etc.,
Petitioner,
504, Misc. vs.
The United States of America, et al.

On petition for writ of certiorari to the United States Court of Appeals for the Third Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Third Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Bennett N. Oden, Petitioner, vs. Mason W. Hill, Warden. — On petition for writ of certiorari to the Supreme Court of the State of Utah.

509, Misc.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of Utah, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Thomas Willard Eugene Moore, Petitioner, vs. C. J. Shuttleworth, Warden. — On petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit.

512, Misc.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Sixth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Robert S. Burchfield, Petitioner, vs. William H. Hiatt, Warden. — On petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit.

514, Misc.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Fifth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Gladys I. Byers, Petitioner, vs. Juanita W. Temple. 515, Misc.

On petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the District of Columbia Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Albert W. Krause, Petitioner, vs. Wm. H. Hiatt, Warden. 517, Misc.

On petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Fifth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Earl W. Taylor, Petitioner, vs. The United States of America. 518, Misc.

On petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Ninth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Eugene Paul Vance, Petitioner, vs. State of Tennessee. — On petition for writ of certiorari to the Supreme Court of the State of Tennessee.

519, Misc.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of Tennessee, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Richard Anderson Lowe, Petitioner, vs. George W. Humphrey, Warden. — On petition for writ of certiorari to the United States Court of Appeals for the Third Circuit.

520, Misc.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Third Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Charles Skinner, Petitioner, vs. The New York Central Railroad Company, et al. — On petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit.

521, Misc.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Seventh Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Raymond V. Masterson, Petitioner, vs. The United States of America. 522, Misc. On petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the District of Columbia Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Ernest George Bland, Petitioner, vs. O. B. Ellis, Manager of the Texas Prison System. 525, Misc. On petition for writ of certiorari to the Court of Criminal Appeals of the State of Texas.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Court of Criminal Appeals of the State of Texas, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Amos Reed, Petitioner, vs. State of Michigan. 528, Misc. On petition for writ of certiorari to the Supreme Court of the State of Michigan.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of Michigan, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Roy F. Gagnon, Petitioner, vs. State of Minnesota. 529, Misc.

On petition for writ of certiorari to the Supreme Court of the State of Minnesota.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of Minnesota, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Willie Davis, Petitioner, vs. W. Frank Smyth, Jr., Supt. 530, Misc.

On petition for writ of certiorari to the Supreme Court of Appeals of the Commonwealth of Virginia.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of Appeals of the Commonwealth of Virginia, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Thomas Stephenson, Petitioner, vs. George W. Page, Warden. 531, Misc.

On petition for writ of certiorari to the United States Court of Appeals for the Third Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Third Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Georgia M. Spruill, Petitioner,
534, Misc. vs.
Bishop S. D. Brooks.

On petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the District of Columbia Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Annie H. Logan, Petitioner,
535, Misc. vs.
Wiley M. Harty.

On petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the District of Columbia Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Ray F. Harris, Petitioner,
536, Misc. vs.
People of the State of Illinois.

On petition for writ of certiorari to the Circuit Court of Sangamon County of the State of Illinois.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Circuit Court of Sangamon County of the State of Illinois, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

J. Ernest Wilkins, Jr., Petitioner, vs. The United States of America. 537, Misc. On petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Fourth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Joe Henry Hampton, et al., Petitioners, vs. Commonwealth of Virginia. 538, Misc. On petition for writ of certiorari to the Supreme Court of Appeals of the Commonwealth of Virginia.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of Appeals of the Commonwealth of Virginia, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

William Kemmerer, Petitioner, vs. State of Michigan. 541, Misc. On petition for writ of certiorari to the Supreme Court of the State of Michigan.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of Michigan, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

William Lester Keith, Petitioner, vs. W. C. Miller, Warden. — On petition for writ of certiorari to the Supreme Court of the State of Wyoming.

542, Misc.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of Wyoming, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Joseph W. Di Silvestro, Petitioner, vs. United States Veterans Administration. — On petition for writ of certiorari to the United States Court of Appeals for the Second Circuit.

543, Misc.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Second Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Edmond Arthur Rohde, Petitioner, vs. Thomas O'Donnell, Acting Director. — On petition for writ of certiorari to the Supreme Court of the State of Illinois.

544, Misc.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of Illinois, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

James Spencer, Petitioner, vs. Stanley P. Ashe, Warden. — On petition for writ of certiorari to the Supreme Court of the Commonwealth of Pennsylvania.

549, Misc.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the Commonwealth of Pennsylvania, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Harry Siegel and Maurice Meyer, Petitioners, vs. Joseph E. Ragen, Warden. — On petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit.

550, Misc.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Seventh Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

James M. Smith, Petitioner, vs. The United States of America. — On petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit.

551, Misc.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the District of Columbia Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

David Leon O'Hara,
Petitioner,
552, Misc. vs.
Clarence P. Burford, Warden.

On petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit.

ON CONSIDERATION of the petition for a writ of certiorari herein to the United States Court of Appeals for the Tenth Circuit, it is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Lloyd Edison Sampsell,
Petitioner,
559, Misc. vs.
The People of the State of California.

On petition for writ of certiorari to the Supreme Court of the State of California.

ON CONSIDERATION of the petition for a writ of certiorari herein to the Supreme Court of the State of California, It is ordered by this Court that the said petition be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Cecil Swain,
Petitioner,
523, Misc. vs.
Clinton T. Duffy, Warden.

ON CONSIDERATION of the motion for leave to file a petition for writ of habeas corpus herein,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Moses Charlie Moss,

Petitioner,

526, Misc. vs.

Dr. Ivan W. Steele, Warden.

ON CONSIDERATION of the motion for leave to file a petition for writ of habeas corpus herein,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Joseph Fleet,

Petitioner,

552, Misc. vs.

Edwin T. Swenson, Warden.

ON CONSIDERATION of the motion for leave to file a petition for writ of habeas corpus herein,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Memphis Bridges,

Petitioner,

533, Misc. vs.

Joseph E. Ragen, Warden.

ON CONSIDERATION of the motion for leave to file a petition for writ of habeas corpus herein,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Wilford Hill Castleman,

Petitioner,

539, Misc. vs.

Dr. Winfred Overholser.

ON CONSIDERATION of the motion for leave to file a petition for writ of habeas corpus herein,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Dan Williams, Jr.,

Petitioner,

540, Misc. vs.

Dr. Winfred Overholser.

ON CONSIDERATION of the motion for leave to file a petition for writ of habeas corpus herein,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Bertha A. Paquette,

Petitioner,

547, Misc. vs.

State of Illinois.

ON CONSIDERATION of the motion for leave to file a petition for writ of habeas corpus herein,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

In the Matter of Kurt Hans,

433, Misc. Petitioner.

ON CONSIDERATION of the motion for leave to file a petition for writ of habeas corpus herein,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Black and Mr. Justice Douglas vote to deny without prejudice to making application in a District Court.

Mr. Justice Jackson took no part in the consideration or decision of this motion.

In the Matter of Hans Th. Schmidt,

434, Misc. Petitioner.

ON CONSIDERATION of the motion for leave to file a petition for writ of habeas corpus herein,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Black and Mr. Justice Douglas vote to deny without prejudice to making application in a District Court.

Mr. Justice Jackson took no part in the consideration or decision of this motion.

Dr. Hans-Heinrich Lammers,

Petitioner,

484, Misc. vs.

The United States of America.

ON CONSIDERATION of the motion for leave to file a petition for writ of habeas corpus herein,

IT IS ORDERED by this Court that the said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Vinson.

Mr. Justice Black and Mr. Justice Douglas vote to deny without prejudice to making application in a District Court.

Mr. Justice Jackson took no part in the consideration or decision of this motion.

John Edwin Byers,

Petitioner,

497, Misc. vs.

The United States of America, et al.

ON CONSIDERATION of the motions for leave to file a petition for writ of certiorari and petition for writ of mandamus herein,

IT IS ORDERED by this Court that the said motions be, and they are hereoy, denied.

Per Mr. Chief Justice Vinson.

Donald E. Chandler,

Petitioner,

524, Misc. vs.

The United States District Court for the Northern District of California.

ON CONSIDERATION of the motion for leave to file a petition for writ of mandamus herein,

IT IS ORDERED by this Court that the said motion be, and it is hereby, denied.

Per Mr. Chief Justice Vinson.

Jack Chapman,

Petitioner,

546, Misc. vs.

The United States District Court for the Northern District of California.

ON CONSIDERATION of the motion for leave to file a petition for writ of mandamus herein,

IT IS ORDERED by this Court that the said motion be, and it is hereby, denied.

Per Mr. Chief Justice Vinson.

Charles E. Walshfer,

Petitioner,

548, Misc. vs.

State of Michigan.

ON CONSIDERATION of the motion for leave to file a petition for writ of mandamus herein,

IT IS ORDERED by this Court that the said motion be, and it is hereby, denied.

Per Mr. Chief Justice Vinson.

Joseph Kadans,

Petitioner,

527, Misc. vs.

William C. Coleman.

ON CONSIDERATION of the motion for leave to file a petition for writ of injunction in this case,

IT IS ORDERED by this Court that the said motion be, and it is hereby, denied.

Per Mr. Chief Justice Vinson.

Henry V. Tillman,

Petitioner,

568, Misc. vs.

The State of Florida.

ON CONSIDERATION of the motion for a stay of execution of the death sentence in this case,

IT IS ORDERED by this Court that the said motion be, and it is hereby, denied.

Per Mr. Chief Justice Vinson.

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The Chief Justice announced the following order:

"All cases submitted and all business before the Court at thi
in readiness for disposition having been disposed of,

"It is ordered by this Court that all cases on the docket be,
they hereby are, continued to the next term."

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Proclamation being made the Court is adjourned to the time and place a
pointed by law.